

## TOWN COUNCIL WORKSHOP

MILTON, DELAWARE

TOWN COUNCIL MEETING )  
MAY 7, 2007 )

BEFORE :

MAYOR DON POST  
COUNCILWOMAN LEAH BETTS,  
COUNCILWOMAN RONDA MELSON,  
COUNCILMAN NOBLE PRETTYMAN,  
COUNCILMAN JOHN FREY,  
TOWN COUNCILMAN MARY HUDSON

ALSO PRESENT:

MR. ROBIN DAVIS  
MS. STEPHANIE COULBOURNE

ANTHONY REPORTING  
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1                   MAYOR POST: I want to call to order the  
2     Milton Town Council Meeting, Monday May 7, 2007, at  
3     7:30 p.m. Please stand for a moment of silence.

4                   (Following a moment of silence and the  
5     Pledge of Allegiance:)

6                   COUNCILWOMAN BETTS: 7:31:12  
7     (unintelligible).

8                   MAYOR POST: Well, just wait a minute. I've  
9     got to do the roll call.

10                  COUNCILWOMAN BETTS: Yeah. Okay.

11                  MAYOR POST: Okay. We will now move into  
12     the roll call vote. Roll call attendance. Councilman  
13     Frey.

14                  COUNCILMAN FREY: Present.

15                  MAYOR POST: Councilwoman Hudson.

16                  COUNCILWOMAN HUDSON: Present.

17                  MAYOR POST: Councilman Prettyman.

18                  COUNCILMAN PRETTYMAN: Present.

19                  MAYOR POST: Councilwoman Melson.

20                  COUNCILWOMAN MELSON: Present.

21                  MAYOR POST: Councilwoman Betts.

22                  COUNCILWOMAN BETTS: Present.

23                  MAYOR POST: Myself as mayor, present, and  
24     let it go on record Councilman Harris is absent.

1 Additions or corrections to the agenda?

2 COUNCILWOMAN BETTS: I have an addition,  
3 Mayor.

4 MAYOR POST: Okay.

5 COUNCILWOMAN BETTS: I would like put on the  
6 agenda the acceptance of the bids for the five streets  
7 that has been proposed to be repaved.

8 MAYOR POST: Okay.

9 COUNCILWOMAN BETTS: 7:32:09  
10 (unintelligible).

11 COUNCILWOMAN MELSON: Make a motion to  
12 accept.

13 MAYOR POST: Okay.

14 COUNCILMAN PRETTYMAN: Second.

15 MAYOR POST: Second. Any other motions to  
16 the agenda or a change?

17 COUNCILMAN PRETTYMAN: I have a question on  
18 the agenda. Number 16, the public participation, at the  
19 last meeting I brought that up as to why that's at the  
20 bottom of the list.

21 MAYOR POST: Right.

22 COUNCILMAN PRETTYMAN: And you, Mayor --  
23 Mr. Mayor, you stated that it was a one-time thing,  
24 because a new venture was presenting in the beginning of

1     it.  Also, the -- I would like to see that the executive  
2     sessions are held before the Council meeting, maybe at  
3     7:00.  And then we can go right into the Council  
4     meeting, instead of breaking it up.  And the residents  
5     don't have to sit and wait while we're in executive  
6     session, to come back out, and discuss the rest of the  
7     agenda.

8                     So I'm still in question on the public  
9     participation, because once it gets down to there, we've  
10    kind of made the decision and have not heard from those  
11    that put us here.  And I think it would be a nice thing.

12                    And I remember that you yourself and  
13    Councilman Harris had said something about that same  
14    thing when Mayor Bushey was here.  And he moved it up so  
15    that the public could speak before we voted on the  
16    thing.

17                    And I just would like to know if this is  
18    going to be an ongoing thing.  At the last meeting you  
19    did say it was a one-time thing.

20                    MAYOR POST:  Any thoughts from any others?

21                    COUNCILWOMAN HUDSON:  Yes.  I believe that  
22    public participation should be at the beginning.  We've  
23    been doing that.  People have come to expect it.  And  
24    especially now, when we have many important issues, I

1 think that the public participation should be at the  
2 beginning.

3 MAYOR POST: And possibly, what we may want  
4 to consider is that it needs -- like many towns, there's  
5 numerous things what we've researched. Some towns do  
6 not offer it or do not have public comment at all. Some  
7 towns have the public comment at the end. And some  
8 towns have -- the majority of towns, my understanding,  
9 have public comments for those items on the agenda. And  
10 if -- and that's a possibility, that maybe we could move  
11 it into that type of a thing. This is a business  
12 meeting.

13 COUNCILMAN PRETTYMAN: Yes.

14 MAYOR POST: And it is -- There's many a  
15 people, also, as well, that come here and want to hear  
16 the business of the Town of Milton. And as well, there  
17 are some people that don't even attend this meeting  
18 anymore because of the lengthy public comment, month on,  
19 month out, of the same topics, the same conversation,  
20 the same issues, whether they are on the agenda or not.

21 So it's possible that we can, you know,  
22 tweak this where we'll make it where it's going to be  
23 work for everyone. I do agree that I think it might be  
24 very good to move the executive session to -- I don't

1 know how we have to do that. But if we can do higher  
2 or, you know, early, in the beginning, that's an  
3 excellent idea. And I think that, certainly, is worth  
4 entertaining that, as well.

5 Any other comment about --

6 COUNCILMAN PRETTYMAN: I'm -- I just am --  
7 where do we stand with the public participation? I, you  
8 know, is this going to be at the end? Is it going in  
9 the middle? Are we not going to -- you know, that's the  
10 question as to --

11 COUNCILWOMAN MELSON: I think it should be  
12 put on for the workshop with something else, not that it  
13 would take that long, because I really think it needs to  
14 be looked at with a greater length.

15 UNKNOWN SPEAKER: Are the mikes on?

16 COUNCILWOMAN BETTS: I thought that possibly  
17 the reason it was put at the end was to not hold up the  
18 public that was not interested, if we had speakers.  
19 That was my thought. I don't know if that's, you know,  
20 what the public wants or not. But that's the reason I  
21 thought it was put at the end, so that if any one of the  
22 speakers could go ahead and speak and get out of the way  
23 and then the public could be heard. But it doesn't  
24 matter to me, whichever you decide.

1 COUNCILMAN PRETTYMAN: Because I just feel  
2 that it is more of an urgent thing that the resident,  
3 the community that put us here, they should have a  
4 voice. And as it's been set up now, they really don't  
5 have a voice, because it is after the event.

6 MAYOR POST: Well, they have a voice.

7 COUNCILMAN PRETTYMAN: Yes.

8 MAYOR POST: They have a voice.

9 COUNCILMAN PRETTYMAN: I -- right. Excuse  
10 me, Mr. Mayor.

11 MAYOR POST: Yes.

12 COUNCILMAN PRETTYMAN: The way it is set up,  
13 we voted on it and then they comment. And I think that  
14 sometimes you just need to hear what their wishes are.  
15 And they are the ones that gave us these positions here  
16 at this table. And I think that we should honor them  
17 and have that time period, giving them at the beginning  
18 to look at the agenda, to address whatever is on the  
19 agenda, before we vote on it.

20 COUNCILWOMAN HUDSON: I agree. I think it's  
21 more than just the business of the Town. We are also in  
22 the business of people. And from the number of people I  
23 see sitting here, I see a tremendous interest that that  
24 our residents and citizens have in this Town and in this

1 meeting. And I think that it would be most important  
2 for people to be able to speak at the beginning and let  
3 us hear what they have to say. They voted for us. They  
4 put us here. We are the spokesmen. We are elected  
5 at-large to represent everybody in this Town. And I  
6 think that it would behoove us to listen to the people  
7 that put us here and let them speak at the beginning.

8 MAYOR POST: Okay. Well, for the purpose  
9 of tonight and the reason it was done this way is we  
10 have a -- we're paying an attorney here, and that is why  
11 the executive session was moved to the front. It is  
12 obviously to save dollars. The attorney has well drove  
13 two hours to get here. So you know, this is fine. I  
14 have no problem with moving the executive session early  
15 on. And we will put a time limit over in the beginning  
16 of -- because they only have three minutes to speak --  
17 say, 15, 20 minutes. And then we move the rest to the  
18 end, because I think that is a good compromise, instead  
19 of listening for an hour of the same hashed over --  
20 It's -- But I think then that what we can do is do a  
21 time limit at the beginning. And then we know and the  
22 people that want to come, they can come at X amount of  
23 time, and they will know what time the Council meeting  
24 is going to actually start. And any left -- you know,



1     if it's over that amount of time, if we have enough time  
2     for six or seven people to speak, then at the end, they  
3     can -- the balance can speak or something like that. We  
4     can run that by the attorney and see how that would  
5     work, as well, or we can start the meeting earlier.  
6     That's fine, too. That's another idea. We can start  
7     the meeting earlier, leave a half hour in the beginning.  
8     And then the people that want to come at 7:15, they know  
9     the meeting starts at 7:15. And we give more time --  
10    Well, he's probably not happy. Maybe some do, but --

11               COUNCILMAN PRETTYMAN: 7:39:57  
12    (unintelligible).

13               MAYOR POST: But that's an idea, as well,  
14    that we could just start it earlier. So I would prefer,  
15    since we have this attorney in the audience, that we are  
16    not -- we don't move it tonight.

17               COUNCILMAN PRETTYMAN: Okay.

18               MAYOR POST: But that's fine. At the --

19               COUNCILMAN PRETTYMAN: I just --

20               MAYOR POST: -- next meeting, then that's  
21    how we definitely will have it. Okay?

22               COUNCILMAN PRETTYMAN: We'll just consider  
23    it.

24               MAYOR POST: Sure. And I like the idea of

1       that executive session, if there's a legal way that we  
2       can do it, to move it --

3               COUNCILMAN PRETTYMAN: But you can have it  
4       before.

5               MAYOR POST: Yes, that's fine.

6               COUNCILMAN PRETTYMAN: And then when we can  
7       come in --

8               MAYOR POST: That's fine. That's fine.

9               COUNCILMAN PRETTYMAN: -- we just do  
10       business.

11              MAYOR POST: Uh-huh. Very good. So are  
12       there any other --

13              COUNCILMAN FREY: Mr. Mayor, I think we  
14       should pull the annexation agreement and have a special  
15       meeting during the month for it.

16              COUNCILWOMAN BETTS: I'll second that.

17              COUNCILWOMAN MELSON: I didn't hear what he  
18       said.

19              MAYOR POST: He wants to remove the  
20       annexation agreement tonight, since we just received the  
21       annexation agreement for review, and wants to --

22              COUNCILWOMAN BETTS: And the attorney is not  
23       here. I'll --

24              MAYOR POST: Yes. And --

1 COUNCILWOMAN BETTS: I'll second that  
2 motion.

3 MAYOR POST: And then what we'll do is we'll  
4 set up a meeting in the middle of the month for this.

5 COUNCILMAN FREY: Okay.

6 MAYOR POST: Okay. So would we have a  
7 motion and a second for amending the agenda?

8 COUNCILMAN PRETTYMAN: 7:41:21  
9 (unintelligible).

10 MAYOR POST: Any more comment?

11 COUNCILMAN PRETTYMAN: Okay. I jumped the  
12 gun.

13 MAYOR POST: No. That's all right. I think  
14 you -- Go ahead. What? Did you want to comment?

15 COUNCILMAN PRETTYMAN: No, no.

16 MAYOR POST: Oh, okay. All right.

17 COUNCILMAN PRETTYMAN: I was just going to  
18 say I agree with him today, so --

19 MAYOR POST: Okay. All right. So all in  
20 favor, say aye.

21 COUNCILWOMAN BETTS: Aye.

22 COUNCILMAN FREY: Aye.

23 COUNCILMAN PRETTYMAN: Aye.

24 COUNCILWOMAN MELSON: Aye.

1 COUNCILWOMAN HUDSON: Aye.

2 MAYOR POST: Aye. Opposed? Motion carried.

3 COUNCILMAN FREY: Thank you, Mr. Marshall,  
4 for coming down tonight. Sorry.

5 MR. MARSHALL: I appreciate it.

6 MAYOR POST: Okay. Now we need a --

7 COUNCILMAN FREY: Make a motion to approve  
8 the agenda as --

9 MAYOR POST: Thank you.

10 COUNCILWOMAN BETTS: Second.

11 MAYOR POST: All in favor say aye.

12 COUNCILWOMAN BETTS: Aye.

13 COUNCILWOMAN MELSON: Aye.

14 COUNCILWOMAN HUDSON: Aye.

15 COUNCILMAN FREY: Aye.

16 COUNCILMAN PRETTYMAN: Aye.

17 MAYOR POST: Aye. Motion carried. And we  
18 have the minutes for approval for February 24, 2007;  
19 March 5, 2007.

20 COUNCILMAN FREY: Make a motion to  
21 Approve --

22 COUNCILMAN PRETTYMAN: And I --

23 COUNCILMAN FREY: -- the two as written.

24 COUNCILMAN PRETTYMAN: Second.

1                   MAYOR POST: Okay. We've got a motion and a  
2 second. All in favor, say aye.

3                   COUNCILWOMAN BETTS: Aye.

4                   COUNCILWOMAN MELSON: Aye.

5                   COUNCILWOMAN HUDSON: Aye.

6                   COUNCILMAN FREY: Aye.

7                   COUNCILMAN PRETTYMAN: Aye.

8                   MAYOR POST: Aye. Opposed? Motion carried.  
9 Now we'll need a motion to go into executive session.

10                  COUNCILMAN PRETTYMAN: So --

11                  COUNCILWOMAN BETTS: I make a motion to go  
12 into executive session at this time.

13                  COUNCILMAN PRETTYMAN: Second.

14                  MAYOR POST: Okay. We have a motion and a  
15 second to go into executive session. All in favor, say  
16 aye.

17                  COUNCILWOMAN BETTS: Aye.

18                  COUNCILWOMAN MELSON: Aye.

19                  COUNCILMAN FREY: Aye.

20                  COUNCILWOMAN HUDSON: Aye.

21                  COUNCILMAN PRETTYMAN: Aye.

22                  MAYOR POST: Opposed? Motion carried. And  
23 we'll be out as quick as possible.

24                  (Following executive session:)

1 COUNCILWOMAN BETTS: I make a motion to come  
2 out of executive session --

3 COUNCILMAN PRETTYMAN: Second, second it.

4 MAYOR POST: We have a --

5 COUNCILWOMAN BETTS: -- at five after eight.

6 MAYOR POST: We have a motion and a second  
7 to come out of executive session. All in favor, say  
8 aye.

9 COUNCILWOMAN BETTS: Aye.

10 COUNCILWOMAN MELSON: Aye.

11 COUNCILWOMAN HUDSON: Aye.

12 COUNCILMAN FREY: Aye.

13 COUNCILMAN PRETTYMAN: Aye.

14 MAYOR POST: Aye. Opposed? Motion carried.  
15 What's that? That's out of order. We've already done  
16 it. Okay. Move into committee reports. Oh, I've got  
17 the ones that have to be all the time. All right.

18 COUNCILWOMAN BETTS: Did you put in the  
19 minutes --

20 MAYOR POST: Yeah, we did it earlier. It  
21 was twice on the agenda.

22 COUNCILWOMAN BETTS: Okay.

23 MAYOR POST: Health & Environment,  
24 Councilwoman Hudson.

1                   COUNCILWOMAN HUDSON: Okay. The  
2   Health & Environment Committee met on April 24, 2007 at  
3   6:00 at the Milton Library. Items discussed included:  
4   One, the development of a walking trail and tour  
5   brochure promoting Milton's health and community  
6   developments, similar to the one prepared and published  
7   by the City of Milford. Obesity and poor fitness are  
8   major health concerns throughout the nation. Use of the  
9   brochure by residents to walk the different parts of the  
10   Town of Milton will promote health and quality of life  
11   of families in the community. The Committee will  
12   investigate funding of the brochure's publication by a  
13   grant through the University of Delaware with the Center  
14   for Disease Control, or wherever we can find funds.  
15   Committee members are beginning to map walking routes  
16   through Milton, emphasizing the town's various  
17   developments, flora, and fauna. Mileage covered for  
18   each route and health tips on how to start and continue  
19   a walking program will be included.

20                   The second thing we discussed was  
21   participation in Lieutenant Governor Carney's Fitness  
22   Challenge. Over a 12-week period, you choose what  
23   activities to perform. You receive a free log book to  
24   record what you do and earn points for every 30 minutes

1 of movement. After 12 weeks, you may be eligible for a  
2 gold, silver, or bronze medal. To register and receive  
3 a log book, call the Lieutenant Governor's Office,  
4 302-577-4727.

5               Number three, information was provided on  
6 each of the two Stormwater Pond Maintenance Workshops  
7 sponsored by DNREC and the Sussex Conservation District.  
8 The task of management and maintaining many stormwater  
9 ponds falls on property owners and, in many cases, the  
10 homeowners association. Many homeowners pay a premium  
11 to be next to these man-made ponds. The program helps  
12 communities create open space management plans, provides  
13 education and outreach, and offers financial assistance  
14 through an annual grant program to begin a national  
15 habitat program.

16               The workshops will be -- will take place on  
17 May 9th -- I'm planning on attending that one -- from  
18 6:30 to 8:30 at the Cannon Lab at the University of  
19 Delaware's College of Green & Earth Studies in Lewes.  
20 And the second one is on May 23rd from 6:30 to 8:30 at  
21 the Delaware Rural Water Association Conference Room at  
22 Vickers Drive in Milford.

23               The next meeting of the  
24 Health & Environmental Committee will be on May 22,



1       2007, 6:00 in the Milton library. Thank you.

2                   MAYOR POST: Emergency Preparedness,  
3       Councilwoman Hudson.

4                   COUNCILWOMAN HUDSON: Okay. The Emergency  
5       Preparedness Committee met on April 17, 2007, 6:00 at  
6       the Milton Library, and 14 citizens were in attendance.  
7       That's in addition to the committee members. The  
8       individual attendees were from a cross-section of  
9       Milton, Conwell Development, Shipbuilders Village,  
10      Wagamon's West Shores, Preserve on the Broadkill,  
11      Mulberry, Chestnut, Union Streets, and Behringer Avenue.

12                  Chief Phillips made a presentation on the  
13      formation of the Neighborhood Watch through the  
14      Volunteers of Police Service -- that's VIPS -- Program.  
15      He and Corporal Rockwell are investigating the  
16      availabilities of grant money for this project and will  
17      know more about this and the specifics of VIPS Citizens  
18      Training Program by the Committee's next meeting on  
19      May 15th.

20                  In addition to acting as additional eyes and  
21      ears for Milton's Police Department, the citizens in  
22      attendance hope the Neighborhood Watch Program will  
23      include Milton's youth to discourage mischief, increase  
24      each citizen's familiarity with their neighborhoods,

1 particularly the elderly and the infirm, facilitate  
2 reporting general safety conditions and concerns, and  
3 provide an avenue through which, one, malfunctioning or  
4 burnt out streetlights, and two, code violations can be  
5 reported.

6               The Committee also addressed publication by  
7 the Town of Milton of an emergency preparedness booklet  
8 to be sent to each Milton resident, similar to the  
9 booklet distributed by the Town of Bridgeville. The  
10 Committee will be exploring the possibility of obtaining  
11 grant monies for this project.

12              On our next meeting -- I would like to say  
13 that on the next meeting of May -- June -- no, May 15th,  
14 the next meeting, May 15th, we will have guest speakers,  
15 Bob George and Mack McLee from the Delaware Emergency  
16 Management Agency. And they will be giving us  
17 additional information about Neighborhood Watch. And we  
18 hope you all will please come. The Town will have their  
19 meeting at the Milton Library at 6:00 on May 15th.  
20 Thank you very much.

21              MAYOR POST: Milton Development.

22              COUNCILWOMAN BETTS: Okay. The 200th  
23 Anniversary, they are working diligently with that. And  
24 they have asked the Town of Milton to close the streets

1 from Magnolia -- half of Magnolia to Union, from Bay  
2 Avenue to Milton Middle School, on Saturday in order to  
3 have the parade, and also close from Irish Eyes to  
4 Chandler Street on Friday evening in order for the  
5 balloons to be displayed.

6 And also, we're having the booklet. It's a  
7 wonderful opportunity to have your group organization  
8 represented in the Milton Bicentennial Commemeratory  
9 Booklet, which will be a keepsake and become part of  
10 Milton history. If your group or organization is  
11 sponsoring a special activity or event at any time  
12 during the weekend of August 3rd through the 5th, you  
13 should be featured in this booklet. And please prepare  
14 and submit a complete description, narrative, or article  
15 relating to your group or organization and the  
16 significance activity event it will be involved in  
17 during the Bicentennial Weekend. And you can contact  
18 the Milton Development in order to become part of this  
19 booklet. And that's 684-3400.

20 And they are showing "The Glass Menagerie"  
21 on May 11th, 12th, and 13th, which was last weekend.  
22 But they are continuing it on May 18th, 19th, and 20th.  
23 The admission is in advance \$15, \$12 for seniors and  
24 students, and at the door is 15 and 18. And the tickets

1 are now available. In fact, I have some tonight, if you  
2 would like to have any. And we hope to see you there.

3 MAYOR POST: Okay. Now, the street closings  
4 you talked about, they are pursuing that through --

5 COUNCILWOMAN BETTS: They are pursuing that  
6 through the police department, and I've already talked  
7 to --

8 MAYOR POST: And the State.

9 COUNCILWOMAN BETTS: -- the Town manager and  
10 the State. We're talking. They are to be there on the  
11 17th. Our police department, our Town Manager, the  
12 State, they are going to meet with the 200th Anniversary  
13 on May 17th.

14 MAYOR POST: Okay.

15 COUNCILWOMAN BETTS: -- in regards to the  
16 closing of the streets.

17 MAYOR POST: Now, did you include -- because  
18 I've got 200th Anniversary. Did you include that in  
19 your -- I mean do you have anything else? I don't know  
20 if Charlie Fleetwood is here.

21 8:07:26 UNKNOWN SPEAKER: No.

22 MAYOR POST: He's not here.

23 COUNCILWOMAN BETTS: I was there, and I  
24 think he relayed what I relayed, everything that

1 happened the other night.

2 MAYOR POST: Okay. Streets & Sidewalks.

3 COUNCILWOMAN BETTS: Oh, yes. Okay. First  
4 of all, I would like to thank -- and I've been asked to  
5 thank Allen Atkins for the work that he did after hours.  
6 He worked down at the Bicentennial Park for two hours or  
7 more on Friday evening.

8 And it's been noted that everyone really  
9 appreciates you watering the plants, Allen. And we  
10 thank you very much.

11 And I talked with Stephanie in regards to  
12 the letters that should be going out to the property  
13 owners in regards to the sidewalks. They have been busy  
14 with the budget and also the revised budget and also the  
15 ordinance, the ordinances changes and so -- charter  
16 change -- I'm sorry, not the ordinance. And she hopes  
17 to be starting them this week. So all property owners  
18 that have problems with their sidewalks will be getting  
19 a letter. And that's it.

20 The only thing I do want to ask you, Mayor  
21 Post, have you heard anything from DNREC in the  
22 demolition of this building next door?

23 COUNCILMAN PRETTYMAN: This --

24 MAYOR POST: It is -- I know that they have

1 put it out for bid. They have -- and I think it's one  
2 of the -- I forget. It is GMB, I believe, Engineers  
3 have placed it out for bid. There have been -- They are  
4 waiting for all the bids to come in. They've sent them  
5 to five people to bid on, five companies.

6 COUNCILWOMAN BETTS: But they do have the  
7 permit from DNREC?

8 MAYOR POST: My understanding, they have  
9 their permits. That's not the problem now. The problem  
10 is now that there was one estimate that was -- came in  
11 for them at 200,000. And that has scared them somewhat,  
12 so --

13 COUNCILWOMAN BETTS: So the estimates are  
14 out?

15 MAYOR POST: The estimate -- the bids are  
16 out. They've placed --

17 COUNCILWOMAN BETTS: Oh, the bids are out.

18 MAYOR POST: -- five bids --

19 COUNCILWOMAN BETTS: But no estimates are  
20 in.

21 MAYOR POST: -- and waiting for the  
22 estimates.

23 COUNCILWOMAN BETTS: Okay.

24 MAYOR POST: I think they may have received

1     about two so far. But my understanding -- and I know --  
2     and I talked to some businesses downtown the other  
3     day -- that, you know, this has been a long process.  
4     But my understanding is they have their permits. I do  
5     know there is a lot -- it's very technical with DNREC on  
6     the demolition process. My understanding is that they  
7     are not going to have to close the street, which has  
8     been, you know, somewhat of a rumor, that they were  
9     going to close the street out front. You know, I think  
10    they may have to close one lane, but they will not close  
11    the street off.

12               COUNCILWOMAN BETTS: But the bids are out.

13               MAYOR POST: The bids are out.

14               COUNCILWOMAN BETTS: Thank you.

15               MAYOR POST: Uh-huh. Sewer & Water.

16               COUNCILWOMAN MELSON: Sewer & Water did not  
17    meet this past month, although we do have a pending  
18    issue. We will be having a meeting in the next two  
19    weeks.

20               MAYOR POST: Okay. And we do not have the  
21    Town Manager's Report. Written reports, Maintenance?  
22    I'll look at you, P & Z.

23               COUNCILMAN PRETTYMAN: We accept the  
24    Maintenance Report as written.

1 MAYOR POST: Yeah. I forgot those.

2 COUNCILMAN PRETTYMAN: I make a motion we  
3 accept the Maintenance Report as written.

4 COUNCILWOMAN BETTS: I'll second.

5 MAYOR POST: We have a motion and a second  
6 to accept the Maintenance Report. All in favor say aye.

7 COUNCILWOMAN BETTS: Aye.

8 COUNCILMAN FREY: Aye.

9 COUNCILWOMAN HUDSON: Aye.

10 COUNCILMAN PRETTYMAN: Aye.

11 COUNCILWOMAN MELSON: Aye.

12 MAYOR POST: Aye. Opposed? Motion carried.  
13 I do need to go back to Planning & Zoning. Any report  
14 from Planning & Zoning?

15 8:11:04 UNKNOWN SPEAKER: The report is  
16 submitted in written form.

17 MAYOR POST: Okay.

18 COUNCILMAN FREY: I make a motion to accept  
19 the written report.

20 COUNCILWOMAN BETTS: Second.

21 COUNCILMAN PRETTYMAN: Second.

22 MAYOR POST: Okay. We have a motion and a  
23 second to accept the Planning & Zoning Report. All in  
24 favor, say aye.



1 COUNCILWOMAN BETTS: Aye.

2 COUNCILWOMAN MELSON: Aye.

3 COUNCILMAN FREY: Aye.

4 COUNCILWOMAN HUDSON: Aye.

5 COUNCILMAN PRETTYMAN: Aye.

6 MAYOR POST: Aye. Opposed? Motion carried.

7 And we have Board of Adjustment's written report, as

8 well.

9 COUNCILMAN PRETTYMAN: I make a motion that  
10 we accept it as written.

11 MAYOR POST: And we have --

12 COUNCILWOMAN BETTS: Second.

13 MAYOR POST: We have a motion and a second  
14 to accept the written report from Board of Adjustments.  
15 All in favor, say aye.

16 COUNCILWOMAN BETTS: Aye.

17 COUNCILWOMAN MELSON: Aye.

18 COUNCILWOMAN HUDSON: Aye.

19 COUNCILMAN FREY: Aye.

20 COUNCILMAN PRETTYMAN: Aye.

21 MAYOR POST: Aye. Opposed? Motion carried.

22 Code Enforcer Report.

23 COUNCILMAN PRETTYMAN: We don't have it.

24 COUNCILMAN FREY: I make a motion to accept

1 the written report.

2 COUNCILWOMAN BETTS: Yes, we do.

3 MAYOR POST: Yeah, we do.

4 COUNCILMAN PRETTYMAN: I don't have it.

5 MAYOR POST: Do you have a copy to --

6 COUNCILWOMAN BETTS: There are no --

7 MAYOR POST: You should have that. Did he  
8 have it?

9 COUNCILMAN PRETTYMAN: Okay. We accept this  
10 as written, the Code Enforcer's Report.

11 COUNCILWOMAN MELSON: Second.

12 MAYOR POST: We have a motion and a second  
13 to accept the Code Enforcer's Report. All in favor, say  
14 aye.

15 COUNCILMAN FREY: Aye.

16 COUNCILWOMAN BETTS: Aye.

17 COUNCILWOMAN MELSON: Aye.

18 COUNCILWOMAN HUDSON: Aye.

19 COUNCILMAN PRETTYMAN: Aye.

20 MAYOR POST: Aye. Opposed? Motion carried.  
21 Police Report?

22 COUNCILMAN PRETTYMAN: Accepted as written.

23 COUNCILWOMAN BETTS: On the Police Report, I  
24 had the honor to go to the Honor Breakfast the other --

1     Friday morning. And I was really impressed that two of  
2     our officers got awards. And I think we should be very  
3     proud of our police department.

4                   COUNCILMAN PRETTYMAN: And their names  
5     were --

6                   COUNCILWOMAN BETTS: It was Officer Hudson  
7     (applause) and Detective Boone.

8                   COUNCILMAN PRETTYMAN: The second one?

9                   COUNCILWOMAN BETTS: Detective Boone,  
10    uh-huh.

11                  MAYOR POST: Okay.

12                  COUNCILWOMAN MELSON: I have -- I do have  
13    something I wanted to mention that I did notice off the  
14    Police Report, not that we need to go into it tonight.  
15    But if you'll notice, too, under juvenile detentions and  
16    arrests, we -- it appears to me we are getting a  
17    problem, having a problem that maybe we want someone  
18    from the police department to find out what the arrests  
19    were about.

20                  MAYOR POST: I know there's been some  
21    vandalism issues. I know there are some things, I  
22    think, even in the park. What was the --

23                  COUNCILWOMAN MELSON: By 103.

24                  COUNCILWOMAN BETTS: 103 from -- just April,

1 the 8:13:37 (unintelligible).

2 COUNCILWOMAN MELSON: That was all I just  
3 wanted to mention.

4 MAYOR POST: Okay. Do we have a motion to  
5 accept the Police Report?

6 COUNCILWOMAN BETTS: I'll make a motion to  
7 accept it.

8 COUNCILWOMAN MELSON: Second.

9 MAYOR POST: I think we have a motion and a  
10 second to accept the Police Report. All in favor, say  
11 aye.

12 COUNCILMAN FREY: Aye.

13 COUNCILWOMAN MELSON: Aye.

14 COUNCILWOMAN BETTS: Aye.

15 COUNCILWOMAN HUDSON: Aye.

16 COUNCILMAN PRETTYMAN: Aye.

17 MAYOR POST: Aye. Opposed? Motion carried.

18 We will now have a report from Tidewater Utilities, who  
19 will be presenting an update.

20 MR. JOE ESPOSITO: Good evening.

21 COUNCILWOMAN BETTS: Good evening.

22 MR. ESPOSITO: I'm Joe Esposito, President  
23 of Tidewater Utilities. We are here tonight to give you  
24 an update on the process of wastewater privatization for

1 the Town of Milton.

2 Before I do that, I just want to bring you  
3 up-to-date on what we've done with a couple of other  
4 areas since last we sat in this theater. First of all,  
5 we are up on Councilwoman Betts' presentation about the  
6 Bicentennial. We are probably one of your sponsors in  
7 that event, so we intend to be --

8 COUNCILWOMAN BETTS: I should have mentioned  
9 that. And I'm sorry.

10 MR. ESPOSITO: That's okay. I take it -- I  
11 do a lot of horn, anyway. Speaking of blowing our horn,  
12 in the last couple of months, we have also won a few  
13 awards, which you can be proud that hopefully you picked  
14 the right utility, because in March we were voted as  
15 having the best tasting water in the State of Delaware  
16 through the Delaware Rural Water Conference. And last  
17 month at the Hotel DuPont, we received the Better  
18 Business Bureau Award for Business & Ethics for the  
19 state for the large business category. And just last  
20 week, Delaware Tech and the State of Delaware honored  
21 our -- three of our operators for water, wastewater, and  
22 Lifetime Achievement Award For Operators of the Year.  
23 So we were very proud of that, and we thought we would  
24 pass that along. While we are doing your due diligence

1 on privatization, we are doing other things, too.

2           Let's go to the next slide. We are here  
3 tonight to talk to you about the four major steps which  
4 we are following as Milton transitions from a public to  
5 privatized wastewater system. These are the four steps.  
6 Basically, we're going to focus tonight on the second  
7 one, due diligence. But we've already begun the  
8 privatization negotiation. We are doing due diligence  
9 now. I'll get to that in a minute, and that's what  
10 we'll focus on tonight for just a few minutes.

11           Eventually, we will finalize the  
12 privatization contract. And then we'll be designing,  
13 building, and starting it up. We're going to summarize  
14 the design and the schedule pavillion.

15           Next slide, so let's talk about the six  
16 steps of the due diligence. And I'll go through each  
17 one of these six steps in time.

18           Go ahead. The first of the six is the due  
19 diligence valuation of the existing system. And we're  
20 pretty much through this. The date is the month, not  
21 the day. So that's in May of '07, we will be  
22 100 percent complete on this. This due diligence and  
23 the valuation of the existing system basically means we  
24 are going to estimate the value of the existing

1     wastewater infrastructure, the pipes, the plant,  
2     everything else.

3             As you should know, we are purchasing all  
4     the wastewater infrastructure. And to remind everybody  
5     of the deadline that we are working against, June 24th  
6     is when the due diligence period runs out, from the  
7     February 24th date of the signature of the contract.

8             So in that process, we need to determine the  
9     value of all that infrastructure that we are going to  
10    purchase. We are going -- We have inventoried all the  
11    sanitary sewers, the pump stations, the force main, the  
12    existing treatment plant. We are doing some field  
13    review. We are 100 percent done on that.

14            CCTV means closed circuit television. We've  
15    actually hired a firm that goes into these pipes and  
16    takes pictures of it and videos them so we can determine  
17    where there are leaks, where there are breaks that we  
18    need to fix.

19            And the valuation, we're about -- we're just  
20    about done on that. And that basically is to put a  
21    value in dollars on the whole system, based upon when it  
22    was installed, what it's worth, what its replacement  
23    cost would be, et cetera. That's the first phase of due  
24    diligence, that we're going to talk about valuation.

1                   Next, next is the wastewater treatment plant  
2     site evaluation. This is a -- we're presuming, although  
3     if it doesn't come to pass, we'll have another  
4     opportunity to find a different site. For the new  
5     treatment plant, again, to refresh the audience, we are  
6     talking about buying an existing a treatment plant,  
7     operating it under our ownership for approximately two  
8     years while we're building the new treatment plant. And  
9     we'll get to that in a little bit.

10                  The location presumed for the new treatment  
11     plant is on a property that has yet to be annexed into  
12     Town. So we'll need some information from the Town  
13     after the annexation. We'll need a legal description of  
14     the site, because a portion of the site will be one that  
15     we will purchase from the Town once it gets annexed in.  
16     We'll need an appraisal after the legal description so  
17     that we can put a value on it. We will need to do some  
18     environmental assessment -- it's called phase I -- to  
19     make sure that there are no hazardous wastes on the  
20     site. We'll need to do that map delineation, things of  
21     that nature, so we can design a plant on the site.

22                  And similarly, in geotechnical, we have to  
23     make sure that the soils will support the structures  
24     that we are going to build on the site. That is



1 intended to be done this month, assuming that there is a  
2 property for us to look at.

3 Next, the next part of due diligence is  
4 called the cost estimation for the demolition of the  
5 existing -- WWTP stands for wastewater treatment plant.  
6 And it's pretty straightforward. We have already had  
7 a contractor. The contractor that we are using is  
8 George & Lynch.

9 Greenstone Engineering has been helping us  
10 on all of this, and they're going to assess the budget  
11 that's put together from the contractor. We should have  
12 that probably by the end of next week. So we'll have an  
13 estimate of what it will cost to demolish the existing  
14 treatment plant, once the new plant is operational,  
15 functional, and we've worked out all the starting  
16 problems that you have with a new treatment plant.

17 Next, next is the fourth step, evaluation of  
18 the existing treatment plant. We have just recently  
19 requested the operating data from the Town. We will  
20 need this to determine how to operate the plant over the  
21 next one to two years. We are going to look at this  
22 through desktop analysis. From the past years of  
23 operation, we've already -- we also have been assisting  
24 Mr. Atkins in operating the facility on weekends, so we

1     are trying to get a fairly good idea of how to run the  
2     treatment plant. We have talked to DNREC compliance  
3     folks about any concerns they might have in running the  
4     plant.

5                 We will sample the influent and effluent  
6     leaving the treatment plant this month. And once the  
7     analysis is complete sometime the middle of next month,  
8     we will be ready to put a valuation on what the existing  
9     treatment plant is worth, so to speak.

10                Next slide, the next -- the fifth step in  
11     our due diligence is negotiations with potential users.  
12     As we've identified in this theater a couple of months  
13     ago, we were going to draft a wastewater service  
14     agreement based upon the terms that we reached with the  
15     Town. We've done that.

16                About a week or so ago, we sent out to ten  
17     different developers or those that we believe are  
18     potential users of the system -- they just had just a  
19     little over a week to look at this. We have spoken with  
20     many, probably about half, and we have attempted to  
21     speak with others. There is one that we were having a  
22     difficult time getting through to. Otherwise, we have  
23     contacted, left messages, or have tried to set up  
24     appointments with all of them. And it's too early to

1 tell whether or not there's agreement, there's  
2 disagreement, there's problems or concerns. They  
3 haven't had enough time to look at this yet.

4 But I can safely say to the Council that the  
5 terms are similar to what we spoke to you about and that  
6 which were contained in the agreement that we signed  
7 with you that day. In fact, in some cases, we actually  
8 were able to reduce the impact fee somewhat. But again,  
9 it's based on a lot of assumptions that may or may not  
10 come to pass.

11 And the next slide is called preliminary  
12 engineering. We have met with DNREC to talk about the  
13 transfer of the permit once we own -- before we can own  
14 the treatment plant, we will have to have the permit  
15 transferred into our name. It is a discharge permit  
16 into the Broadkill, so we've gotten the forms and the  
17 paperwork necessary. It is not a lengthy process. We  
18 have started the process.

19 We've also talked to them about the  
20 compliance that we talked to you about in our  
21 presentation, and we've been happy to say that the  
22 treatment plant has not been out of compliance for  
23 almost nine, ten months now. So their concern about  
24 having a compliance schedule or stipulated penalties or

1 anything of that nature is not a major one. In fact,  
2 they were interested in hearing our approach to how the  
3 existing treatment plant can be operated. And possibly,  
4 if we run it as officially as we think we can, we can  
5 actually add some users to the existing plant while we  
6 are building the new plant. So all of that is underway,  
7 and we don't see any problem meeting the schedule.

8 We also looked at the collection system --  
9 meaning the sewer pipes -- and the proposed wastewater  
10 treatment plant design. We are going to be using the  
11 existing design that George Miles & Buhr designed during  
12 the preliminary engineering process. We're going to  
13 then review it and make some changes to the design as  
14 needed.

15 Depending on how many users we sign up for  
16 the first phase, it will either be -- if we don't get as  
17 many as we hope, it could be a 400,000-gallon per day  
18 plant, probably be an 800,000-gallon per day plant, or  
19 it could be up to a 1.2-million gallon per day plant.  
20 All of that was what GMB designed, and we are going to  
21 use that and modify it and then go out to a design bid  
22 process -- the design/build process. That basically is  
23 the end of the due diligence.

24 The next slide is where we are at, where

1 we're going forward in the next phase, which would be  
2 the new treatment plant design, build, and start-up.  
3 Assuming that we sign up as many developments as we  
4 think we can by the end of June and assuming that that  
5 date, for all intents and purposes, is July 1st -- and  
6 that is an assumption that I need to emphasize --  
7 somewhere over the following three to six months, so  
8 that would take it through to the end of '07, we'll be  
9 doing final design and permitting. And because it's  
10 going to be a design/build, we can actually start  
11 construction this fall.

12 Assuming winter construction times and  
13 downtimes, our plant start-up for the new plant again is  
14 estimated to be the spring of '09. And it will take  
15 just two to three months to demolish the old plant,  
16 based on what we have heard from the contractors so far.  
17 So this is the schedule that we're operating under.  
18 This fall is contingent upon us starting sometime in the  
19 midsummer period, assuming that we start the final  
20 design, because we have all of the wastewater service  
21 agreements executed at the time that we take over the  
22 old treatment plant.

23 Next slide, and here's a summary of  
24 everything, so I'll go through it real quickly where we

1     are. The valuation -- Again, these are all items that  
2     I've mentioned already. The valuation is about  
3     90 percent complete. The rest will be done in about a  
4     week or so. The proposed site evaluation is only  
5     20 percent complete, because again, we need to know  
6     which site it is.

7                 Let me talk about that for a second. If we  
8     don't have that site, there are other sites that we can  
9     go to that will take more time, however, because we've  
10    not really negotiated with any of those property owners.  
11    We've talked to other property owners. That's as far as  
12    we have gotten. But the agreement with the Town allows  
13    us to do that kind of thing. It may delay it by some  
14    period of time, however.

15                The cost estimate for the demo of the plant  
16    is about three-quarters done. I told you by next week  
17    we should have that estimate. We're about 40 percent  
18    done on the evaluation of the existing treatment plant.  
19    That should be done in about a month to five weeks.  
20    And then I've already mentioned about the agreements.  
21    All the -- Basically, all of the agreements are sent  
22    out, except for one, which we just have to find an  
23    address for. About half of those folks we have actually  
24    spoken to. We have no signed agreements yet.

1           And the preliminary engineering is basically  
2   the work that we had done from George Miles & Buhr, with  
3   Greenstone's work on top of it, it's about 20 percent  
4   done. But that should be -- We'll only need a little  
5   bit more before we can go to design/build. That's one  
6   of the beauties of design/build. You don't need to have  
7   a complete set of drawings to do that. You get a  
8   package.

9           And then I just showed you the design/build  
10   and start-up schedule. So that, I believe, is the final  
11   slide. And I'll entertain any questions, if the Council  
12   believes this is the appropriate time.

13           Also, I have with me several other folks  
14   from Tidewater. If you would like to see who they are,  
15   I can have them identify themselves.

16           COUNCILWOMAN HUDSON: I have a question.  
17   You said you are valuating, valuation -- you are doing a  
18   valuation on the infrastructure?

19           MR. ESPOSITO: Yes.

20           COUNCILWOMAN HUDSON: And that's to  
21   determine how much you're going to pay us for it?

22           MR. ESPOSITO: Yes.

23           COUNCILWOMAN HUDSON: Okay. Well, my  
24   question to Mr. Mayor is: Do we have someone from our

1 side who would do an valuation on our infrastructure,  
2 because it almost seems like a conflict of interest that  
3 you would do a valuation and tell us how much you are  
4 going to pay for it?

5 MR. ESPOSITO: I can have the -- First of  
6 all, if you are asking that to the Mayor, he should  
7 answer. But I can also --

8 MAYOR POST: Right.

9 MR. ESPOSITO: -- ask Bruce Jones from  
10 Greenstone, who can explain to you how it's done so that  
11 hopefully, you would accept the findings of it as being  
12 objective. But --

13 MAYOR POST: Right.

14 MR. ESPOSITO: -- this is not my meeting.  
15 You should go first, Mayor.

16 MAYOR POST: Right. I would -- And I know  
17 when we discussed this and even the infrastructure is  
18 very hard to assess. And plus, we are talking about a  
19 very old infrastructure in the ground. So I certainly  
20 think it will be interesting to see how much it will  
21 cost the Town to have our own assessor to come in. But  
22 we certainly can do that. That's not a problem. But  
23 again, you know, we are not talking about -- and I would  
24 like this gentleman here to go ahead and he can talk, as



1 well, in regards to this.

2 MR. JONES: My name is Bruce Jones. I'm  
3 with Greenstone Engineering. We are performing the  
4 valuation for Tidewater Utilities of the Milton --  
5 existing Milton wastewater infrastructure.

6 We are using fairly standard procedures to  
7 perform this process. Essentially, what it amounts to  
8 is we take a look at all the components of the  
9 infrastructure, which include the gravity collection  
10 system, pump stations, force main, and the existing  
11 wastewater treatment facility. We estimate a value of  
12 each part of this infrastructure based on the age of the  
13 pipes, the age of the manholes, then we also -- then we  
14 use a straight line depreciation based on the age of  
15 that and also based on the usable life of the design  
16 life.

17 For instance, clay pipe has a design life of  
18 approximately 80 years. So if that pipe is 80 percent  
19 through its design life, it only has about 80 percent of  
20 its initial value. So it's a pretty straightforward  
21 assessment process that we are using and estimate  
22 process that we are using. And it applies to each  
23 component of the infrastructure.

24 Jerry mentioned that we are also -- we also

1 performed a closed circuit television survey of the  
2 existing sanitary sewer pipes. Some of you may  
3 question: Well, how do you know what those pipes look  
4 like? We actually run a TV through those sewers and ge  
5 an idea of the condition of each part of the -- each  
6 component of the gravity system. And although we didn't  
7 do the entire system, we did quite a bit of it. So we  
8 feel like we have a representative sample. So if a pipe  
9 was installed last year but it has major cracks in it,  
10 the value of that pipe would be less than if it was a  
11 pipe that was in pristine or very good condition. And  
12 again, we assigned a value to each of that -- each part  
13 of the infrastructure based on the date that it was  
14 constructed and then depreciated that value based on the  
15 age of that pipe and the -- or the age of that  
16 infrastructure, whatever it happens to be, whether it be  
17 a pipe or a manhole, and also based on the condition.

18 MAYOR POST: And in addition, Cabe  
19 Associates, our engineer, will be looking at it  
20 extensively --

21 MR. JONES: Right.

22 MAYOR POST: -- once this report comes in.  
23 And it would be them that will make the recommendation  
24 to the Town whether we should get our own independent --

1     you know, they've been with this Town for 20-some years.  
2     So they know the Town inside and out, Cabe Associates.  
3     And they are the ones, the engineer on our side  
4     representing the Town of Milton.

5                     MR. JONES: Right.

6                     MAYOR POST: So they will be doing -- you  
7     know, reviewing the product as soon as we have that  
8     coming into the Town.

9                     MR. JONES: We also did -- Cabe actually  
10    performed an evaluation of all the existing manholes in  
11    the Town --

12                    MAYOR POST: I know, yeah.

13                    MR. JONES: -- which was used as part of  
14    this valuation.

15                    MAYOR POST: Right, right.

16                    MR. JONES: And the valuation itself, the  
17    package that you will get, all the information will be  
18    included. It's set up to be very easily reviewed by an  
19    independent reviewer, if the Town should choose to do  
20    that.

21                    MAYOR POST: Right.

22                    COUNCILWOMAN HUDSON: Well, the reason I  
23    asked is because when I bought my house and a number  
24    of people -- many people in this Town own their own

1 homes -- the realtor didn't hand me the home inspection.  
2 I did the home inspection at my risk, because -- and my  
3 cost, because whether I bought the house or not, it was  
4 an independent valuation done by me, not the person  
5 trying to sell me something. So this, I would -- just  
6 my recommendation that we get an independent evaluation  
7 done.

8 MAYOR POST: Yeah. Well, once Cabe  
9 Associates reviews that and makes the recommendations,  
10 then we can move forward. We'll need a cost on it, as  
11 well.

12 COUNCILWOMAN HUDSON: The other thing that,  
13 again, concerns me is that the -- we are selling assets,  
14 a great deal of assets of this Town. And we are not  
15 selling them to bidders. We are selling them to one  
16 person. So there again, because we are only selling  
17 them to one person, I recommend an independent  
18 valuation.

19 MAYOR POST: Yes.

20 COUNCILWOMAN HUDSON: Thank you.

21 MAYOR POST: And I'm certain that Tidewater  
22 will be fine with that. And I'm certain that if you had  
23 reviewed Artesian, as well, compared to Tidewater, I  
24 think you would see the comparison of value provided by

1 the one that was awarded the service.

2 COUNCILWOMAN BETTS: May I?

3 MR. JONES: Any other questions?

4 COUNCILWOMAN BETTS: No. I just wanted to  
5 thank you. I did not do that. It's a benefit to the  
6 Town, also, and to the theater that you are the main  
7 sponsor of the booklet.

8 MR. JONES: Oh, we're looking forward to it.  
9 And you'll see a few Tidewater folks here that weekend.

10 COUNCILWOMAN HUDSON: Oh, I'm sorry. I --  
11 There are two things you touched on. One, you already  
12 answered. You have no signed agreements right now.

13 MR. JONES: Correct.

14 COUNCILWOMAN HUDSON: Are you still saying  
15 that you need 1,500 new customers before you will build?

16 MR. JONES: We think so. We can probably do  
17 it for a little less. And we're going -- we haven't run  
18 that model, because we hope we don't have to. But the  
19 model will work less. And we'll also confirm from DNREC  
20 that we could delay the construction of the new plant  
21 if, as we plan to make the improvements in the existing  
22 plant, it works beyond the two years that we expect. So  
23 I think 1,500 is still a good number.

24 COUNCILWOMAN HUDSON: Okay.

1                   MR. JONES: And we are hoping for more. But  
2 we could probably work with a little less, if we had to.

3                   COUNCILWOMAN HUDSON: And the last thing is  
4 it said -- and this is quoting you -- if there is no  
5 18 acres, the terms will have to change. But in the  
6 meantime, we have budgeted for that amount to buy the  
7 land.

8                   MR. JONES: Right.

9                   COUNCILWOMAN HUDSON: We believe with that  
10 kind of money, we could get land elsewhere to build  
11 another kind of treatment facility nearby.

12                  MR. JONES: Yes.

13                  COUNCILWOMAN HUDSON: So we're not worried  
14 about that.

15                  MR. JONES: Yes.

16                  COUNCILWOMAN HUDSON: And that's -- I'm glad  
17 to hear that, because I do want move forward with the  
18 sewer plant --

19                  MR. JONES: Right.

20                  COUNCILWOMAN HUDSON: -- one way or  
21 another --

22                  MR. JONES: Yes.

23                  COUNCILWOMAN HUDSON: -- with this 18 acres  
24 or not. So I'm glad to hear that --

1 MR. JONES: Right.

2 COUNCILWOMAN HUDSON: -- you have  
3 alternatives.

4 MR. JONES: We have alternatives, but --

5 COUNCILWOMAN HUDSON: Spray irrigation,  
6 anything.

7 MR. JONES: No, not spray irrigation.

8 COUNCILWOMAN HUDSON: Oh, you did have that  
9 on the slide last time.

10 MR. JONES: What we're talking about here is  
11 a treatment plant site.

12 COUNCILWOMAN HUDSON: Yes. Okay.

13 MR. JONES: We're not talking about changing  
14 the treatment process or --

15 COUNCILWOMAN HUDSON: All right.

16 MR. JONES: -- the discharge technology.  
17 We're talking about a new site --

18 COUNCILWOMAN HUDSON: Okay. New site.

19 MR. JONES: -- which will delay the time.  
20 And we don't think it will change the price, depending  
21 on how far away it is, because the price of land should  
22 get cheaper as we go further outside of Town, should.  
23 But then we compensate that because then we have to  
24 build a bigger pipe. But I have to -- you know, in all

1 fairness, I have to tell the Town that if we don't get  
2 the site that we are planning on, I can assure you it  
3 will delay the process, because right now, our eggs in  
4 that basket.

5 COUNCILWOMAN HUDSON: Thank you.

6 MR. JONES: Okay.

7 MAYOR POST: Right.

8 MR. JONES: Anything else? Otherwise, we  
9 might stay. But if you have any questions, this would  
10 be the time, because some of us have other things  
11 tonight.

12 COUNCILWOMAN HUDSON: Thank you very much.

13 MR. JONES: Thank you.

14 MAYOR POST: I think you did a wonderful  
15 job.

16 MR. JONES: Thank you.

17 COUNCILWOMAN BETTS: Thank you.

18 MAYOR POST: I really am impressed.

19 MR. JONES: I look forward to seeing you.

20 We'll -- any other questions we have in between -- our  
21 plan is to have -- come back here before June 24th with  
22 an executable agreement. And by the way, our proposal,  
23 if -- and I'll put you on notice now. We think even if  
24 we sign it on the 24th, we should make the execution,



1 the effective date July 1st, for a lot of reasons --

2 MAYOR POST: Okay.

3 MR. JONES: -- accounting and other  
4 purposes. But that's a detail. But we'll get to that.  
5 We have time. Thank you again for your time.

6 COUNCILWOMAN BETTS: Thank you.

7 COUNCILMAN FREY: Mr. Mayor.

8 MAYOR POST: Yes, Councilman Frey.

9 COUNCILMAN FREY: I wrote a small resolution  
10 that I would like to have on record. It's an agreement  
11 between the Town of Milton, Tidewater Utilities, design  
12 a service for the people of Milton and for the growth  
13 area with a top-notch wastewater treatment system. And  
14 I would like to make a motion to put that on record  
15 tonight.

16 MAYOR POST: Would you read it again so --

17 COUNCILMAN FREY: An agreement between the  
18 Town of Milton and Tidewater Utilities is designed to  
19 service the people of the Town and the growth area with  
20 a top-notch treatment -- wastewater treatment plant.

21 MAYOR POST: You can vote on the resolution,  
22 yeah.

23 COUNCILWOMAN MELSON: I second it.

24 COUNCILWOMAN HUDSON: So that's your opinion

1 or a vote?

2 COUNCILMAN FREY: Yes. And I would like to  
3 have it on record. I made a motion to put it on record.

4 MAYOR POST: We have a second -- or we have  
5 a motion and a second. Any discussion?

6 COUNCILWOMAN HUDSON: I think that's his  
7 opinion. And I think he should just state it as his  
8 opinion. I don't think it should be an motion.

9 MAYOR POST: Okay.

10 COUNCILMAN FREY: I'm asking to put it on  
11 record. It has to have a motion to put it on the  
12 record.

13 MAYOR POST: To put it on record. Okay. We  
14 have a motion and a second. All in favor, say aye.

15 COUNCILMAN FREY: Aye.

16 MAYOR POST: Aye.

17 COUNCILWOMAN BETTS: Aye.

18 COUNCILWOMAN MELSON: Aye.

19 MAYOR POST: Opposed?

20 COUNCILMAN PRETTYMAN: Opposed.

21 COUNCILWOMAN HUDSON: Opposed.

22 MAYOR POST: Okay. Let it go on record  
23 Councilwoman Hudson and Councilman Prettyman opposes.

24 COUNCILMAN PRETTYMAN: And I would like to

1 say why I oppose.

2 MAYOR POST: Okay. Please do.

3 COUNCILMAN PRETTYMAN: And as Councilwoman  
4 Hudson says, it is his opinion. I don't think it's the  
5 Council opinion. So I'm opposed to it, because it's his  
6 personal opinion.

7 MAYOR POST: Okay. Thank you. We've  
8 removed A under Old Business. B, Amended Budget, FY  
9 2007.

10 COUNCILMAN PRETTYMAN: I think this --

11 COUNCILMAN FREY: Mr. Mayor, I would like to  
12 make a motion to approve the six-month budget handed out  
13 to us by the Town Manager.

14 UNKNOWN SPEAKER: Can't hear you.

15 MAYOR POST: Pull that mike up closer to  
16 you, Jack.

17 COUNCILMAN FREY: I would like to make a  
18 motion to approve the six-month budget handed to us by  
19 the Town Manager.

20 MAYOR POST: We have a motion --

21 COUNCILMAN FREY: Six-month revised budget.

22 MAYOR POST: -- for approving the budget --

23 COUNCILMAN PRETTYMAN: I'll second it.

24 COUNCILWOMAN MELSON: Yeah, I --

1                   MAYOR POST: We have a motion and a second  
2     on approving the amended budget for FY 2007. All in  
3     favor say aye.

4                   COUNCILMAN FREY: Aye.

5                   MAYOR POST: Aye.

6                   COUNCILMAN PRETTYMAN: Aye.

7                   COUNCILWOMAN MELSON: Aye.

8                   MAYOR POST: Opposed?

9                   COUNCILWOMAN HUDSON: Could we have a  
10    discussion before we vote on it?

11                  MAYOR POST: Yes. Go ahead. We -- right,  
12    fine.

13                  COUNCILWOMAN HUDSON: I just have a couple  
14    of questions that were -- 8,000 spent on the website, is  
15    that to make corrections or make improvements? Is that  
16    in addition to what's already been spent on the website?

17                  MAYOR POST: It's to improve it, because it  
18    needed a major overhaul of that whole -- the website,  
19    yes.

20                  COUNCILWOMAN HUDSON: Okay.

21                  MAYOR POST: As a matter of fact, I don't  
22    know. You might be able to answer that as far as what  
23    extent has been done. So I know you are meeting with  
24    them.

1                   MS. COULBOURNE: Several months ago, Council  
2     approved to update a change in the website. That's  
3     supposed to be done at the end of June. Right now  
4     they're just going through the process of outlaying all  
5     the changes. And then staff, including myself and Julie  
6     Powers, will go through training with inKlein so that we  
7     are able to make changes to the website in-house just  
8     for us online.

9                   MAYOR POST: Right. As how it is now, every  
10    time we've got a change to make, we have to contact them  
11    to make the change. Now we are trying to redesign it so  
12    that the changes can be made internally --

13                  COUNCILWOMAN HUDSON: Okay. Thank you.

14                  MAYOR POST: -- which will save a lot of  
15    money.

16                  COUNCILWOMAN HUDSON: Yes.

17                  MAYOR POST: Yes. It's more user-friendly.

18                  COUNCILWOMAN HUDSON: Thank you very much.

19                  MAYOR POST: Sure. Okay. So we have a  
20    motion and a second. All in favor, say aye. I think  
21    we've done this.

22                  COUNCILMAN FREY: Aye.

23                  COUNCILWOMAN HUDSON: Aye.

24                  COUNCILWOMAN MELSON: Aye.

1 COUNCILMAN PRETTYMAN: Aye.

2 MAYOR POST: Aye. Opposed?

3 COUNCILWOMAN BETTS: I'm not opposed. I  
4 would just like to abstain, as I had some questions that  
5 I have not --

6 MAYOR POST: Okay.

7 COUNCILWOMAN BETTS: -- been able to have  
8 answered yet. So I would like to abstain from voting.

9 MAYOR POST: Okay. Motion carried.  
10 Historic District Expansion Survey.

11 MS. COULBOURNE: You missed Change Cost of  
12 Professional Fees.

13 MAYOR POST: Oh, yes, Change Cost of  
14 Professional Fees, and I think --

15 COUNCILMAN FREY: I would like to make a  
16 motion to approve the business fees as is.

17 COUNCILWOMAN BETTS: I'll second that  
18 motion.

19 MAYOR POST: As is?

20 COUNCILWOMAN BETTS: Oh, no, not as is; as  
21 what is on our letter. I thought -- you're for the  
22 proposed changes?

23 COUNCILMAN FREY: As is.

24 COUNCILWOMAN BETTS: Yes. That's what I

1 thought.

2 MAYOR POST: Do you mean as proposed? I  
3 want a clarification on that.

4 COUNCILMAN FREY: No, as is.

5 COUNCILWOMAN BETTS: Oh.

6 MAYOR POST: As they stand.

7 COUNCILWOMAN BETTS: Oh, then I don't second  
8 it.

9 COUNCILMAN PRETTYMAN: Unh-unh, no, not --  
10 well, the changes.

11 COUNCILWOMAN BETTS: I would second it, the  
12 changes.

13 COUNCILMAN PRETTYMAN: 8:41:40  
14 (unintelligible).

15 MAYOR POST: So that motion is dead. Do you  
16 want to make a motion?

17 COUNCILWOMAN BETTS: I'll make a motion that  
18 we --

19 COUNCILMAN FREY: We have a motion on the  
20 floor. We don't have a second.

21 COUNCILWOMAN BETTS: She just said --

22 MAYOR POST: Right.

23 COUNCILMAN FREY: We can't discuss it until  
24 we have a second.

1 8:41:55 (unintelligible).

2 COUNCILWOMAN BETTS: Dead.

3 MAYOR POST: Right. It has no -- So the  
4 motion is dead.

5 COUNCILWOMAN HUDSON: Uh-huh.

6 COUNCILMAN FREY: Right.

7 COUNCILWOMAN BETTS: Now is it okay? I make  
8 a motion to make the professional fees as recommended,  
9 reducing the costs from 250 to 125, the business license  
10 fee for professional services, and that any business  
11 that has already paid the 250 charge for 2007 will have  
12 a credit for their 2008 business license.

13 COUNCILMAN PRETTYMAN: So moved -- Second, I  
14 mean. I'm sorry.

15 MAYOR POST: We have a motion and a second.

16 COUNCILMAN PRETTYMAN: I'm over here in my  
17 own world.

18 MAYOR POST: Any discussion with that  
19 motion?

20 COUNCILMAN FREY: Yes. At the workshop we  
21 discussed two restaurants in town that weren't paying  
22 the proper fees. I see nothing in the new, revised fee  
23 schedule that they've straightened that out. And I  
24 would like to table it until it does get straightened



1 out.

2 MAYOR POST: Well, I think, though, that's  
3 two -- Councilman Frey, the only thing, that's two  
4 separate issues, because that is a billing issue.

5 COUNCILMAN FREY: No, it's not.

6 MAYOR POST: It's not a change of fee  
7 schedule.

8 COUNCILMAN FREY: Yes, it is, because  
9 they're going to be paying more money because they have  
10 more tables than what was first charged.

11 MAYOR POST: But then that's a billing  
12 schedule, wouldn't you say, that they would need be to  
13 notified that they overpaid for that specific --

14 COUNCILMAN FREY: Right.

15 MAYOR POST: Are we changing the dollar  
16 amount?

17 COUNCILMAN FREY: You have one restaurant  
18 that had 41 tables that was paying less than the  
19 restaurant that had 20 tables.

20 MAYOR POST: Okay. Then --

21 COUNCILMAN FREY: And that's not  
22 straightened out in your agreement from  
23 8:43:36(unintelligible).

24 MAYOR POST: I think that's an internal

1     thing that should be --

2                   COUNCILWOMAN BETTS:   That's true.   It was  
3     not brought up.

4                   MAYOR POST:   -- turned over to Mr. Dickerson  
5     to follow up on.   Who does the billing for the -- Who  
6     handles it?   Robin?   Robin, would you take a look at  
7     that?

8                   MR. DAVIS:   Yes, sir, I will.

9                   MAYOR POST:   Okay.   Any other discussion?

10                  COUNCILMAN FREY:   Yes.

11                  MAYOR POST:   Okay.

12                  COUNCILMAN FREY:   Four months ago, we voted  
13     to -- I think it was unanimous -- to increase the fees.  
14     And four months later, we are voting to decrease the  
15     fees.   You know, for years they've been giving this town  
16     away, and I think it's about time we started changing  
17     it.   If I came in to you tomorrow and said my taxes are  
18     too high, would you people look into it and see if you  
19     can get my taxes reduced?

20                  MAYOR POST:   Right.

21                  COUNCILMAN FREY:   That's what's going on  
22     here right now.   I will be voting no on this resolution.

23                  MAYOR POST:   Okay.   But also, the fee with  
24     what comes under professional fees is not the same as

1     other towns. And therefore, maybe -- and I said it even  
2     in the workshop -- that I think the name of it should  
3     have been changed. That was the real issue. The issue  
4     is if we want businesses to come to Milton, Delaware, we  
5     had better be competitive. And having a business here  
6     in the Town of Milton, I know what it's like to have a  
7     business downtown. And I --

8                   COUNCILMAN FREY: Mr. Mayor.

9                   MAYOR POST: But just wait, Councilman Frey.  
10    And I appreciate, you know, your concerns with wanting  
11    to bring, you know, income into the Town. But again, I  
12    think when we become out of sync with what the business  
13    license is for Lewes or Rehoboth, compared to the income  
14    that one can receive from Milton, there is a difference  
15    there. And is it fair for what our fees were 75 to  
16    increase them to 200? 250?

17                   COUNCILWOMAN BETTS: To 250.

18                   MAYOR POST: To 250. So it went from 75 to  
19    250. But I think you had another comment.

20                   COUNCILMAN FREY: No. I just wanted to say,  
21    did you go get copies of other towns, like I did, and  
22    compare them to what we were charging?

23                   COUNCILMAN PRETTYMAN: Uh-huh.

24                   MAYOR POST: Right.

1 COUNCILMAN FREY: I presented them at the  
2 workshop, and nobody wanted to look at them. Take your  
3 vote. I'll be voting no.

4 MAYOR POST: Okay. And again, I think, you  
5 know, which I wish we had -- that's how I thought we  
6 were going to do it from the workshop, but maybe that's  
7 not how it was discussed -- was it was the terminology,  
8 as well, is what we are talking about, of what defines  
9 professional. We have a motion and a second. All in  
10 favor, say aye.

11 COUNCILMAN FREY: Can we have a roll call  
12 vote, please?

13 MAYOR POST: Okay. We can get a roll call  
14 vote. Councilman Prettyman?

15 COUNCILMAN PRETTYMAN: Yes.

16 MAYOR POST: Yes. Councilwoman Melson?

17 COUNCILWOMAN MELSON: Yes.

18 MAYOR POST: Councilwoman Betts?

19 COUNCILWOMAN BETTS: Yes.

20 MAYOR POST: Councilman Frey?

21 COUNCILMAN FREY: No.

22 MAYOR POST: Councilwoman Hudson?

23 COUNCILWOMAN HUDSON: Yes.

24 MAYOR POST: And myself will vote yes.

1 Motion carried. Okay. The next thing on the agenda is  
2 the Historic District Expansion Survey. And this was  
3 another thing that has brought a lot of conversation in  
4 the Town. And we need to put this to closure, because  
5 what we had discussed -- what had happened was we had  
6 the letter, I think, the last meeting. But I don't know  
7 whether it was on the -- somehow it had to be moved over  
8 to this agenda. We could not take action on it last  
9 meeting.

10 But the historic expansion is in regards to  
11 the historic district, and there were certainly concerns  
12 at that time of when several people came forward,  
13 wanting to do this expansion of the costs to the  
14 taxpayer. And at that time it was going to be \$15,000  
15 of taxpayers' dollars to move forward with this project.  
16 Since then, the Town has received a \$5,000 grant to do  
17 the expansion, and as well, another 6,819, as well, to  
18 do the expansion of the district.

19 So what I'm hoping tonight that we would  
20 propose that the Town would be willing to pick up the  
21 difference of the \$3,485, I think it is, if I added  
22 right, so this can move forward. So let's say 3,500.

23 COUNCILMAN FREY: I make a motion that the  
24 Town puts in no more than \$4,000 for the historic

1     preservation 8:49:00 (unintelligible).

2                   MAYOR POST:   Okay.   We have a motion and --

3                   COUNCILWOMAN HUDSON:   I second.

4                   MAYOR POST:   Okay.   Any discussion to the  
5     motion?

6                   COUNCILWOMAN HUDSON:   I think this is  
7     something we really need.   I know even, Mayor Post,  
8     you've mentioned that there have been some demolitions  
9     of historic buildings, and we would like to try to get  
10    that stopped.   But the thing is right now we would like  
11    to see the historic district expanded.   As I've said  
12    before, we only have 160 homes in the historic record,  
13    the National Historic Record.   And anything that is torn  
14    down devalues the property in this town.   And I think it  
15    would be a huge importance to this town to expand the  
16    historic district.   It would bring in tourism and  
17    dollars to this town.   I think it would be a very good  
18    thing to have, the expansion of the historic district.  
19    Thank you.

20                  MAYOR POST:   Okay.   Any other --

21                  COUNCILWOMAN BETTS:   I just have one  
22    question.   Do we have money in the budget to --

23                  MAYOR POST:   Yes.

24                  COUNCILWOMAN BETTS:   -- take care of it?

1                   MAYOR POST: Yes. I've talked to  
2     Mr. Dickerson in regards to that. And we will -- Also,  
3     there is a Committee that has been formed that did not  
4     meet this last month, because the initial person that  
5     was going to call the meeting was ill for two weeks.  
6     She definitely will be calling it within the next couple  
7     of weeks, this meeting, this committee. And now it's  
8     very fruitful, because we will be able to move forward,  
9     because we have the full \$15,000 committed.

10                  It doesn't mean that we will not try to seek  
11     some funds. I have a sponsorship letter drawn up that  
12     I'm going to mail out, as well, so if we can get some of  
13     these funds back, you know, to offset the 3,000. But  
14     what's nice, it looks like the two contributors this  
15     year will definitely be contributors for next year, too,  
16     as well.

17                  Okay. So we have a motion and a second.  
18     All in favor, say aye.

19                  COUNCILWOMAN HUDSON: Aye.

20                  MAYOR POST: Aye.

21                  COUNCILWOMAN BETTS: Aye.

22                  COUNCILWOMAN MELSON: Aye.

23                  COUNCILMAN PRETTYMAN: Aye.

24                  COUNCILMAN FREY: Aye.

1                   MAYOR POST: Opposed? Motion carried.  
2       Okay. And next on the agenda was correspondence that  
3       could not be acted upon. What they really were were  
4       requests that were not acted upon last Council meeting.

5                   And the first one was a request from the  
6       Horseshoe Crab Festival to provide some sponsorship for  
7       the festival. And there was a flier that went out or a  
8       request that went out. And from this, I'll just read  
9       what -- they have a sponsorship thing. But Friends of  
10      the Festival \$25, bonds \$50, silver a hundred dollars,  
11      gold 500, platinum 1,000 or more. And it was -- it's  
12      requested upon the festival chairperson, Ellen Passman.  
13      And the event is going to be held Saturday, May 26,  
14      2007, Memorial Day Weekend.

15                   What's your pleasure, people?

16                   COUNCILWOMAN MELSON: I certainly think we  
17      should support it. How much money? Do we have money?  
18      Do we have money set aside for that?

19                   COUNCILMAN FREY: I guess we give the  
20      business fee. We have money.

21                   COUNCILWOMAN BETTS: I think we should  
22      support our town functions, also.

23                   COUNCILMAN PRETTYMAN: Yeah. I agree on  
24      that. Any function that the town is found to have --



1                   COUNCILWOMAN BETTS: I think that the  
2 functions of the town --

3                   COUNCILMAN PRETTYMAN: -- I think we need to  
4 do --

5                   COUNCILWOMAN BETTS: -- is very important to  
6 us.

7                   MAYOR POST: Okay. So can we have a motion  
8 on that?

9                   COUNCILWOMAN BETTS: What do you want to --

10                  MAYOR POST: Well --

11                  COUNCILWOMAN BETTS: Let me see.

12                  COUNCILWOMAN MELSON: Yeah, that's what I  
13 want to see.

14                  MAYOR POST: There's 50 -- 25, 50, 100, 500,  
15 a thousand.

16                  COUNCILMAN PRETTYMAN: Let's go with 150.

17                  COUNCILWOMAN MELSON: We don't have 150.

18                  MAYOR POST: Well, you can do -- you don't  
19 have to give them exactly what they -- if you want to do  
20 it, you can do it.

21                  COUNCILWOMAN BETTS: Do you want to go with  
22 the silver or the gold?

23                  COUNCILWOMAN MELSON: Gold is 500.

24                  COUNCILMAN PRETTYMAN: Silver.

1 COUNCILWOMAN MELSON: Silver is --

2 COUNCILMAN PRETTYMAN: Silver.

3 COUNCILMAN FREY: Mayor, I gave a hundred.

4 COUNCILWOMAN BETTS: Also, but do you want  
5 500? I make a motion --

6 COUNCILMAN PRETTYMAN: Silver.

7 COUNCILWOMAN BETTS: -- to give 500, gold.

8 COUNCILMAN PRETTYMAN: I second it.

9 MAYOR POST: Okay. We have a motion and a  
10 second to provide \$500 sponsorship to the Horseshoe Crab  
11 and Shorebird Festival. Any discussion? All in favor,  
12 say aye.

13 COUNCILWOMAN BETTS: Aye.

14 COUNCILWOMAN HUDSON: Aye.

15 COUNCILWOMAN MELSON: Aye.

16 COUNCILMAN PRETTYMAN: Aye.

17 COUNCILMAN FREY: Aye.

18 MAYOR POST: Aye. Opposed? Motion carried.

19 And the next request was from Cape Henlopen School  
20 District, Odyssey of the Mind Program, which was  
21 regarding a team from Milton Elementary School, who will  
22 be participating in the Mind World Finals in East  
23 Lansing, Michigan.

24 COUNCILMAN PRETTYMAN: It's cold there.

1                   MAYOR POST: And they're requesting a  
2       donation, but I don't think they have put any dollar --

3                   COUNCILWOMAN MELSON: One of them we're too  
4       late on.

5                   MAYOR POST: -- amount on this one. They  
6       are just raising funds.

7                   COUNCILWOMAN BETTS: Councilwoman Melson  
8       said she thought that it was too late.

9                   COUNCILWOMAN MELSON: Wasn't one of them too  
10      late?

11                  COUNCILMAN PRETTYMAN: Yeah, that one --

12                  COUNCILWOMAN MELSON: That's the next one.

13                  8:54:19 UNKNOWN SPEAKER: Can't hear.

14                  MAYOR POST: All right. March -- Hold on.  
15      We're -- Okay.

16                  COUNCILWOMAN MELSON: Oh, it is not in our  
17      town?

18                  8:54:34 UNKNOWN SPEAKER: We still can't  
19      hear you.

20                  COUNCILWOMAN MELSON: Is that within our  
21      town?

22                  MAYOR POST: We are trying to determine --  
23      It's for Milton, but it looks to me like our team 1 won  
24      first place in the Division of Delaware Odyssey of the

1 Mind Tournament, held at the University of Delaware  
2 March 3rd. What I'm trying to find out is the deadline  
3 for the one for Michigan. It does not state. It's  
4 March 15, 2007, is when the letter was sent. It has  
5 about one, two, three, four, five, six, seven, eight --  
6 about 12 kids' signatures on it. But --

7 COUNCILWOMAN BETTS: Are they from Milton?

8 COUNCILMAN PRETTYMAN: Well, why don't we  
9 just table it --

10 MAYOR POST: Well, I would assume it's a  
11 team from Milton Elementary School, so it's Milton  
12 Elementary School is the one that won it.

13 COUNCILMAN PRETTYMAN: Why don't we just  
14 table this until we can get further information on  
15 whether it's past or what? And so we'll have better  
16 clarification of the letter, because the letter doesn't  
17 leave us enough clarification.

18 MAYOR POST: So we'll table this one?

19 COUNCILWOMAN MELSON: Second.

20 MAYOR POST: So we have a motion and a  
21 second -- there's no date on it -- a motion and a second  
22 to table it.

23 COUNCILMAN PRETTYMAN: Until we can get  
24 clarification of that, because it's very vague. And we

1     don't know just the time limits there is and everything.  
2     So I would just rather -- and then maybe Stephanie  
3     tomorrow could call the school and see exactly what's  
4     what.

5                   MAYOR POST:   Do you see a date?

6                   COUNCILWOMAN MELSON:   No, not so far.  I'm  
7     speed reading.

8                   MAYOR POST:   There's not one there?  Okay.  
9     So we have a motion --

10                  COUNCILWOMAN MELSON:   It's not --

11                  MAYOR POST:   -- and a second to table it.  
12     All in favor to table the request for Odyssey of the  
13     Mind.

14                  COUNCILMAN PRETTYMAN:   Aye.

15                  COUNCILMAN FREY:   Aye.

16                  COUNCILWOMAN BETTS:   Aye.

17                  COUNCILWOMAN MELSON:   Aye.

18                  COUNCILWOMAN HUDSON:   Aye.

19                  MAYOR POST:   Aye.  Opposed?  Motion carried.

20     The next one on the agenda was a request -- a request  
21     from a Tori Clark, which is a student here or she's with  
22     Sussex Technical High School.  They reside here in  
23     Milton, Richard and Karen Clark.  And she is with People  
24     to People Student Ambassador Program to Europe this

1 summer. And she is also requesting a contribution --

2 COUNCILMAN FREY: Mayor, I make a motion to  
3 send her a \$25 check.

4 MAYOR POST: All right. But it was  
5 April 15th -- yeah.

6 8:57:24 (unintelligible).

7 COUNCILMAN PRETTYMAN: I thought that was  
8 the missed the deadline, Mr. Mayor.

9 COUNCILWOMAN MELSON: Is that --

10 MAYOR POST: Well, it just says, my tuition  
11 balance is due 90 days prior to departure, which is by  
12 April 15, 2007.

13 COUNCILMAN PRETTYMAN: It's due a week late,  
14 so we can't act on.

15 MAYOR POST: But the 19-day program takes  
16 place from June 14th to July 2nd.

17 COUNCILMAN PRETTYMAN: We still can't act.

18 COUNCILMAN FREY: It came up last meeting,  
19 and we weren't allowed to vote on it.

20 MAYOR POST: I mean it certainly could still  
21 contribute towards -- it's different if she had already  
22 attended. She hasn't gone to it yet. So it could still  
23 go to offset tuition. I mean we have a motion. Do we  
24 have a second?

1 COUNCILWOMAN HUDSON: I second it.

2 MAYOR POST: Okay. We have a motion and a  
3 second. Any discussion to the motion? I mean I know we  
4 missed the deadline, but it didn't -- it's not missed  
5 the time of the event that she'll be participating in.

6 COUNCILMAN FREY: Mr. Mayor, right now she's  
7 taking money out of her pocket to pay her own tuition.

8 MAYOR POST: Okay.

9 COUNCILWOMAN BETTS: What did he say?

10 MAYOR POST: She's taking money out of her  
11 own pocket to pay for her -- We have a motion and a  
12 second.

13 COUNCILWOMAN BETTS: Oh, okay.

14 MAYOR POST: So it will have to be voted on.

15 8:59:04 UNKNOWN SPEAKER: Still can't hear.

16 MAYOR POST: We have a motion and a second,  
17 and it will have to be voted on.

18 8:59:09(unintelligible).

19 COUNCILWOMAN HUDSON: \$200.

20 MAYOR POST: As soon as they have reviewed  
21 it, then we'll be ready to vote.

22 8:59:17 UNKNOWN SPEAKER: (Unintelligible).

23 MAYOR POST: Private with the Council,  
24 that's who is making the decision.

1 COUNCILWOMAN MELSON: It would be nice to  
2 send something. I don't -- I don't know. I would say  
3 50 bucks.

4 MAYOR POST: Well, we have a motion and a  
5 second for \$25 on the floor.

6 COUNCILWOMAN BETTS: \$25, that's the vote.

7 MAYOR POST: So all of those in favor, say  
8 aye.

9 COUNCILMAN FREY: Aye.

10 COUNCILMAN PRETTYMAN: Aye.

11 COUNCILWOMAN BETTS: Aye.

12 COUNCILWOMAN MELSON: Aye.

13 COUNCILWOMAN HUDSON: Aye.

14 MAYOR POST: Aye. Opposed? Motion carried.

15 COUNCILMAN FREY: Thank you.

16 MAYOR POST: Under New Business -- Well,  
17 really, isn't that Old Business? Or New Business?  
18 Okay. We'll do this under Old Business, because the  
19 bids are new bids.

20 9:00:07 (unintelligible).

21 MAYOR POST: We are going to do the streets.  
22 We are doing -- We have Cabe Associates. But can you  
23 talk to this at all?

24 9:00:20 UNKNOWN SPEAKER: Yes.



1                   MAYOR POST: Okay. We've got the proposals  
2     for the bids for the five streets that were -- have been  
3     submitted. And I don't know if you want to summarize  
4     this at all.

5                   COUNCILWOMAN BETTS: Here's the streets  
6     right here.

7                   MAYOR POST: Yes, I know that. Is that  
8     the --

9                   9:00:44 COUNCILWOMAN BETTS: That's  
10    (unintelligible).

11                  9:00:47 UNKNOWN SPEAKER: Okay. Last  
12    Thursday, (unintelligible) we received bids for 2007  
13    Street Improvements Project, which was to repave Spruce  
14    Street, Hemlock Street, Chandler Street, 9:01:00  
15    (unintelligible) Street, and Maple. We received a total  
16    of seven bids. The low bidder was Delmarva Paving, and  
17    the low bid amount was \$132,977.92.

18                  We did a bid evaluation, and last week we  
19    forwarded a recommendation to the Town Manager to award  
20    the contract to Delmarva Paving. So tonight we are  
21    requesting that Mayor and Council pass a motion to award  
22    the contract to Delmarva Paving in that amount and  
23    authorize the Town Manager or Mayor to sign the  
24    contracts under 9:01:42 (unintelligible).

1                   COUNCILWOMAN BETTS: I would like to make a  
2 motion to award the bid of the paving of the five  
3 streets to Delmarva Paving Company, Incorporated, in the  
4 amount of 132,977.92 and authorize the Town Manager or  
5 Mayor to sign the contract when it is appropriate or  
6 ready.

7                   COUNCILMAN PRETTYMAN: I second it.

8                   COUNCILWOMAN MELSON: Second.

9                   MAYOR POST: Okay. We have a motion and a  
10 second. Any discussion to the motion? Well, all I want  
11 to say is that I know this is, I believe 32,977.92 over  
12 what was --

13                  COUNCILWOMAN BETTS: 12,000.

14                  MAYOR POST: Oh, 12,000 of what was  
15 budgeted. But we do have the funds, and especially  
16 since I think it was another project under sewer that it  
17 came under. So we have -- we are okay with the funds.  
18 I just wanted to just --

19                  COUNCILMAN PRETTYMAN: And it's much needed.

20                  COUNCILWOMAN BETTS: Yes.

21                  COUNCILMAN PRETTYMAN: It's much needed,  
22 too.

23                  MAYOR POST: Yes, very much. So we have a  
24 motion and a second to accept the bid from Delmarva

1 Paving Company. All in favor, say aye.

2 COUNCILWOMAN BETTS: Aye.

3 COUNCILWOMAN MELSON: Aye.

4 COUNCILWOMAN HUDSON: Aye.

5 COUNCILMAN PRETTYMAN: Aye.

6 COUNCILMAN FREY: Aye.

7 MAYOR POST: Aye. Opposed? Motion carried.

8 Okay. Moving under New Business, as the Discussion For

9 Demolition Permits in the Historic District For Homes.

10 And what I've placed -- what I wanted to put this on

11 there is that it seems to have taken a while for this --

12 for the historic district zoning, the revision of the

13 ordinances. And our attorney did not have it ready for

14 this meeting. Well, as a matter of fact, he's out for

15 two weeks. He's in Virginia.

16 But I'm very concerned about this, just, you

17 know, continuing and continuing without it. And what I

18 would like to see something entertained, where -- that

19 we would talk about, possibly relinquishing the issuing

20 of demolition permits for homes in the historic district

21 for 60 days or whatever or just enough time to get this

22 ordinance in place.

23 COUNCILWOMAN HUDSON: A moratorium?

24 MAYOR POST: Well, it's softer as a

1     relinquish of issuance, but I guess if you want to call  
2     it --

3                   COUNCILWOMAN HUDSON:   Basically.

4                   COUNCILWOMAN BETTS:   But what's --

5                   MAYOR POST:   It's basically the same thing,  
6     yes, correct.  It would just not --

7                   COUNCILWOMAN BETTS:   60 days?  Suppose  
8     someone can't --

9                   COUNCILMAN PRETTYMAN:   Just a moratorium for  
10    60 days.

11                   COUNCILWOMAN BETTS:   -- it's condemned.

12                   9:04:40 UNKNOWN SPEAKER:   (Unintelligible).

13                   MAYOR POST:   Moratorium, relinquishment of  
14    the issuance of permits, yes, in the historic district  
15    for homes to prevent -- until we get these ordinances  
16    have been worked on and to get them in place and to get  
17    the new ordinances established, and you know, it's been  
18    a process.  I'm telling you.  I'm getting lost for words  
19    with this, as it has been ongoing.  And you know,  
20    Stephanie Parker certainly has spent a lot of time on  
21    this, and her Committee.  And I would like to see that  
22    tonight if we could do this to protect the district.

23                   You know, the district -- and not only the  
24    district, the town itself is being torn apart piece by

1 piece. And it can't be put back. When it's gone, it's  
2 gone. There's no more. You cannot -- you can build all  
3 the replicas you want, as well. But you still have --  
4 your history is gone. So I'm just saying that I think,  
5 you know, that it's not too much to really impose to  
6 place this on even 60 days or prior for the approval of  
7 these ordinances.

8 COUNCILWOMAN HUDSON: Is that a motion?

9 MAYOR POST: Well, I can't --

10 COUNCILWOMAN BETTS: Can I? Can I discuss  
11 something or ask a question? Suppose there's a property  
12 that has -- well, they can't do anything with it. And  
13 the engineer says there's nothing that can be done. We  
14 are holding up these people waiting to get a decision?

15 MAYOR POST: This is for historic homes, not  
16 the business district.

17 COUNCILWOMAN BETTS: Well, no. I know that.

18 MAYOR POST: Yes.

19 COUNCILWOMAN BETTS: But I think there is a  
20 place in town that has been damaged by the contractor.  
21 And I don't feel we are being fair to them when it's --  
22 they say they cannot put it back. It's not possible for  
23 them to put it back.

24 MAYOR POST: And you know, and I'm going to

1 state this, as well, to Council. I'm --

2 COUNCILWOMAN BETTS: I mean I'm just asking.

3 MAYOR POST: I'm just saying, though, also,  
4 I've seen engineer reports and they always can reflect  
5 what the need is. And we are going to be -- that is  
6 going to be dealt with on a separate issue. I'm saying  
7 on the --

8 COUNCILWOMAN BETTS: Okay.

9 MAYOR POST: As far as the ordinances go, to  
10 protect what we are trying to get into place, we need  
11 this historic district. We need to protect our historic  
12 district. And if it means offsetting somebody who  
13 certainly was able to take four months to create an  
14 issue with the property, is that -- you know, we are  
15 losing piece by piece. Everybody will come up with a  
16 reason why they need something demolished. I don't  
17 think 60 days have been -- plus, my understanding with  
18 that property is there has been a recommendation for our  
19 own engineer, someone representing the Town will be  
20 reviewing it. And it's going to be --

21 COUNCILWOMAN BETTS: Well, that's fine.

22 MAYOR POST: I think that meeting has  
23 already been established.

24 COUNCILWOMAN BETTS: That's fine. But I

1     don't think if it comes up, that they cannot fix it  
2     back, that we should hold them to the 60 days, if it  
3     comes out that both engineers say that it cannot be  
4     restored. I don't think it's fair to the property  
5     owner --

6                   COUNCILMAN PRETTYMAN: No, no.

7                   COUNCILWOMAN BETTS: -- to hold it for  
8     60 days.

9                   MAYOR POST: But it might only be until  
10    even the June meeting, if we can get our attorney to  
11    get this -- Once this is in place, we can, you know,  
12    relinquish that and go ahead and issue the permits  
13    again.

14                  COUNCILWOMAN HUDSON: I think 60 days is  
15    very reasonable. And I make a motion we have 60-day  
16    moratorium on the issuance of any demolition permits in  
17    the historic district.

18                  COUNCILMAN PRETTYMAN: I second it.

19                  MAYOR POST: For a residence.

20                  COUNCILWOMAN HUDSON: A residence, right.

21                  MAYOR POST: Yes. Okay. We have a motion  
22    and a second. Any discussion to the motion? I mean,  
23    you know, we have discussed it ahead of time. I  
24    certainly respect your --

1 COUNCILMAN PRETTYMAN: Thank you. And I  
2 agree.

3 MAYOR POST: -- your opinion on it.

4 COUNCILWOMAN BETTS: That's good. I mean  
5 I'm just thinking of the property owner.

6 MAYOR POST: I know.

7 COUNCILMAN PRETTYMAN: And I agree with  
8 Councilman Betts --

9 MAYOR POST: Yes.

10 COUNCILMAN PRETTYMAN: -- on that, also,  
11 that I understand where she's coming from. And that is  
12 very important. But I still think that we need to have  
13 this moratorium right now, until we get things in place.

14 MAYOR POST: And we have these revisions in  
15 place, but we don't have them in place.

16 COUNCILMAN PRETTYMAN: Well, that's --

17 MAYOR POST: That's the thing, is we need to  
18 take that to the next step.

19 COUNCILMAN PRETTYMAN: The next step.

20 MAYOR POST: They've been on the books for  
21 months. It's not like this is something new. These  
22 have been going on for a while. It's time --

23 COUNCILWOMAN BETTS: That's right. But  
24 we're --



1                   MAYOR POST:  -- to put the pedal to the  
2 medal.

3

4                   COUNCILWOMAN BETTS:  That's true.  But we're  
5 penalizing that person because of our lack of --

6                   MAYOR POST:  And you know, we are also  
7 penalizing the town by tearing it down piece by piece.

8                   COUNCILWOMAN BETTS:  If it is not fit to be  
9 restored, I can understand.

10                  MAYOR POST:  Okay.

11                  COUNCILWOMAN HUDSON:  Actually, the  
12 homeowner is not being penalized by us right now.  The  
13 Committee decided that they needed -- first of all, they  
14 needed minutes and also they needed the Town's own --

15                  COUNCILMAN PRETTYMAN:  Engineer.

16                  COUNCILWOMAN HUDSON:  -- report to come back  
17 on the home.  They have to wait on that anyway.

18                  MAYOR POST:  Uh-huh.

19                  COUNCILWOMAN HUDSON:  So it's not going to  
20 be that much of a hardship at all.

21                  MAYOR POST:  Right.  We have a motion and a  
22 second.  All in favor, say aye.

23                  COUNCILMAN FREY:  Aye.

24                  COUNCILWOMAN HUDSON:  Aye.

1 COUNCILWOMAN MELSON: Aye.

2 COUNCILMAN PRETTYMAN: Aye.

3 MAYOR POST: Aye. Opposed?

4 COUNCILWOMAN BETTS: I oppose.

5 MAYOR POST: Motion carried. The  
6 revisions -- no. Right. Okay. But we haven't seen --  
7 and that's why I'm saying this has gotten very  
8 complicated. We have not -- I didn't think, though,  
9 that -- I thought there were revisions that needed to be  
10 added that were recommendations from -- was it from the  
11 Board of Adjustment? Uh-huh.

12 9:11:010 (Unintelligible).

13 MAYOR POST: But we don't have -- have not  
14 had a public hearing since those revisions have been  
15 added. That's the problem. And I mean we could call  
16 the public hearing this week, this month. That's no  
17 problem, right, right.

18 9:11:25 (Unintelligible).

19 MAYOR POST: Yes.

20 9:11:32 (Unintelligible).

21 MAYOR POST: Right.

22 9:11:30 (Unintelligible).

23 MAYOR POST: Right. But my -- we'll --

24 9:12:12 (Unintelligible).

1                   MAYOR POST: And we can ask our legal  
2     advisor on that. But my understanding is the next step  
3     is a public hearing and then move to a resolution to  
4     adopt.

5                   9:12:24 (Unintelligible).

6                   MAYOR POST: Right, right, right. That's  
7     correct. Yes, Ms. --

8                   9:12:35 (Unintelligible).

9                   MAYOR POST: But the next step is the public  
10    hearing.

11                  9:13:24 (Unintelligible).

12                  MAYOR POST: But my understanding is that  
13    has been done. My understanding is that has been done.  
14    But that was the problem of what the holdup, because  
15    then he gave us the wrong copy, I believe, which was the  
16    old copy that didn't have the enclosure. But it's time  
17    to move this thing forward. And I'm hoping with this  
18    60 days, it will push us into getting this thing  
19    finished --

20                  9:13:52 (Unintelligible).

21                  MAYOR POST: -- and hopefully earlier.  
22    Sure. Okay. And then the next is the Railroad  
23    Abandonment For Future Rails to Trails Project. And I  
24    just wanted to say, you know -- and I certainly

1 appreciate, you know, there were a lot of people that  
2 worked on the train issue out at Wagamon's and  
3 Councilman Frey, Councilman Hudson, and I think  
4 Councilwoman Betts and the Town Manager, and I know  
5 Stephanie. So there was a lot of calls. It took care  
6 of itself with getting it moved, and it worked out. It  
7 just took a little bit of time.

8 But at the same step is to take it to the  
9 next step. Considering things have taken such a long  
10 time to get moved through the State is that I have sent  
11 a letter to the Secretary of Transportation,  
12 Ms. Carolann Wicks. And I'm going to read this letter  
13 into the record. Yes, yes.

14 Dear Secretary Wicks, the Town of Milton has  
15 begun phase one of Rails to Trails Project. This  
16 initial phase will begin at Chestnut Street and end at  
17 Federal Street. The project consists of three phases.  
18 Phase II starts at Federal Street to Trestle Bridge 37,  
19 and the third phase is from Trestle Bridge 37 to the  
20 west side of Lavinia Street. Phase I has taken a few  
21 years in acquiring the proper approvals, construction  
22 drawings, abandonment of the railroad, railway, et  
23 cetera. Due to this timely process, I respectfully  
24 request the process begin as soon as possible to

1     abandoned the railway for phase II and phase III.  
2     Michael Fitzpatrick assisted the Town with the  
3     application process for the abandonment in phase I.  
4     Starting the abandonment process now for the remaining  
5     phases may speed up the process with regards to planning  
6     of this very worthy project. Any assistance will be  
7     greatly appreciated. Sincerely, Don Post.

8                     And also sent -- it was sent to Senator Joe  
9     Biden, Senator Tom Carper, Representative Mike Castle,  
10    Governor Ruth Ann Minner, Lieutenant Governor John  
11    Carney, Senator Thurman Adams, Senator Gary Simpson,  
12    Representative George Carey, the Town Council, Jeff  
13    Neizgoda, and Michael Fitzpatrick. So I think we've  
14    covered them all to get the message.

15                    And at the same time, I am proud to say that  
16    we are moving forward with phase I. Things are looking  
17    pretty good. We have not start -- signed the contracts  
18    yet with the State, because we have requested, prior to  
19    the contracts, boring samples to test for any  
20    contamination along that first section. We did not want  
21    to get into something that would come into a very costly  
22    project if anything was contaminated by the railway.  
23    However, we were supposed to have the samples back  
24    Friday. We do not have them. But they should be here

1     anytime. Then we'll move forward with the signing of  
2     that contract.

3                   And I must say, you know, we were shy of a  
4     lot of money, because of the change in costs. And we'll  
5     probably have to shift the way the next phases, the  
6     finalizing of the extra items can be independently done,  
7     which will save the Town lots of money.

8                   And, as well, I want to that Stephanie  
9     Coulbourne for -- she submitted a preliminary grant for  
10    doing the lights, the benches, the trash receptacles,  
11    and the landscaping on phase I for the amount of  
12    \$100,000. And she is working with the State to try to  
13    get this money that then we'll have the completed amount  
14    of money to finish that phase I. And --

15                   COUNCILWOMAN BETTS: I have one thing that  
16    is not on -- I have one thing that is not on the agenda.  
17    But I would like at this time to congratulate our  
18    Council Member, Ronda Melson on her recent marriage  
19    yesterday.

20                   (Applause).

21                   COUNCILWOMAN MELSON: Thank you.

22                   COUNCILMAN PRETTYMAN: Who are you  
23    married --

24                   COUNCILWOMAN BETTS: I think that it's nice

1       that she's here on her honeymoon.

2                   MAYOR POST:   Wow.   All right.   Now we will  
3       come and move into -- where's my agenda -- Public  
4       Participation at 9:19, and Joni Morton Brown.

5                   COUNCILMAN PRETTYMAN:   I'll get it.

6                   MS. BROWN:   Thank you.   Thank you, Mr. Mayor  
7       and Council.   I was going to make an announcement, but  
8       I -- since it's a very brief announcement, I do have  
9       some sympathy for the public being able to comment on  
10      agenda items, particularly to get a sense of the  
11      sentiments of some of the citizens.   And I'm glad that  
12      there is a suspension of permits on demolitions and that  
13      there is a practice going on, which is very scary, where  
14      homes are sold and sold and sold and every purchaser  
15      takes out a little more, floorboards or siding or  
16      something.   And then all of a sudden, eureka, the house  
17      is declared uninhabitable.

18                   So I think when we move down towards  
19      permitting demolition, we need to be aware of not only  
20      what's happening to the exterior of the house, but how  
21      it's slowly being pulled apart from the inside out and  
22      then declared uninhabitable.   It's not a pretty picture.

23                   On that sour note, I would like to invite  
24      everybody to the Milton Memorial Park the evening --

1 after the evening of May 25th, Friday. That is the day  
2 before the Horseshoe Crab Festival. Mr. Richard  
3 Driscoll, who was the Governor of the Mid-Atlantic  
4 states for the American Society of Appraisers will be in  
5 one of the 40-foot hexagon tents from 3:30 to 5:30 to  
6 assess your favorite grandmother's antique bowl or chair  
7 or whatever. But he is highly qualified, and there will  
8 be more in The Press about. It is \$5 per item, and it's  
9 three items per person.

10 And just so you know, he is the assessor,  
11 the appraiser for the White House, the diplomatic rooms,  
12 the embassies in Washington, the Cosmos Club. His  
13 credentials go on and on and on. So for \$5, it's not a  
14 bad deal.

15 He is waiving his \$250 an hour fee so that  
16 the money that you pay him to appraise your treasures  
17 will go to help the John Milton Statue go from a bust to  
18 a full body figure in Mill Park.

19 At 6:00 there will be a silent auction in  
20 the same tent, and those are all donations. And at  
21 6:30, Emmert Auctioneers are bringing all their auction  
22 items to the other tent for a two or three-hour auction  
23 ending at 10:00. And if anybody here has things they  
24 want to auction off that you didn't sell at the Town-



1 Wide Yard Sale, if you bring them to Milton Memorial  
2 Park between 8:30 and two, Mr. Emmert himself will be  
3 happy to receive them. And they are giving a portion of  
4 their commission to help Milton have the John Milton  
5 Statue in Mill Park.

6 So it should be a good warm-up to the  
7 Horseshoe Crab Festival. We have antique crabs the next  
8 day.

9 And thank you very much, Mayor and Council,  
10 for accommodating --

11 COUNCILWOMAN HUDSON: Antique crabs.

12 MS. BROWN: -- this lengthy announcement.

13 MAYOR POST: Thank you. John Collier.

14 MR. COLLIER: Mr. Mayor, I'm not going to  
15 ask you to go out of order, if you don't want to. But  
16 Kathryn Greig has been sitting here for quite some time,  
17 and she has something she would like to say so she can  
18 go home.

19 MAYOR POST: Okay.

20 MR. COLLIER: And I'll be glad to wait.

21 MAYOR POST: All right.

22 MS. GREIG: Thank you.

23 MR. COLLIER: You're welcome.

24 MS. GREIG: Kathryn Greig, 326 Union Street.

1 I'm representing the Milton Garden Club. We picked our  
2 raffle winner for our ten hours of labor. And I have to  
3 say that all these people in this room bought tickets  
4 from me, and I promised they would win. You didn't.  
5 The winner, once again this year, came from Overbrook  
6 Shores, sold by Bev Hurd, who sold the winning ticket  
7 last year. I don't know how it does. Maybe I'll bring  
8 her to the meetings next year and have you buy your  
9 tickets from her.

10 If you look in front of the library, we're  
11 spending some of our money building a wall around that  
12 little garden, and Zandu Designs is doing it. She  
13 donated part of the work and her expertise to us. And  
14 it really looks wonderful. So it will be too dark for  
15 you to see it tonight. But take a good look at it  
16 tomorrow, because it really is going to add a lot to  
17 that area.

18 We have two things coming up. We will be --  
19 Saturday, May 19th, if you picked up a little pink  
20 paper, we are having a Community-Wide Planting Day  
21 starting at 9:00. If you can help us, we really need  
22 some help. That's the day we plant all the gardens from  
23 nine to 12. And it usually just takes about three  
24 hours. And then Saturday, May 26th, we will be selling

1 plants at the Horseshoe Crab Festival, really nice  
2 plants for low money. Thank you.

3 MAYOR POST: Thank you.

4 (Applause).

5 MR. COLLIER: Thank you, Mr. Mayor, for  
6 going out of order. I thank you for this opportunity to  
7 speak. And what I have to say kind of lends itself to  
8 some discussion that was at the beginning of the Council  
9 meeting.

10 I did my research. And in September of 2002  
11 at the regular Town Council meeting, a motion was made,  
12 seconded, and passed to move the procedure for the open  
13 floor to the beginning of the meetings.

14 Now, I researched a little further in  
15 Robert's Rules, and the closest thing I could come to  
16 that mirrors this motion is what is known as a standing  
17 rule. And by definition, standing rule shall contain  
18 only such rules as may be adopted without previous  
19 notice by a majority vote at any business meeting. The  
20 vote under adoption or the amendment before or after  
21 adoption may be reconsidered. At any meeting they may  
22 be suspended by a majority of vote or they may be  
23 amended or rescinded by a two-thirds vote.

24 So at this point, I went through the rest of

1 the minutes from 2002 forward. And at no time has this  
2 Council acted to change that in any way, shape, or form.  
3 The only thing -- The other things I did find, by  
4 charter, you determine your own rules. And that's at  
5 Section 11.

6 And then in the Code, under Administration,  
7 Chapter 2, Section 2.1, the affairs matter and business  
8 of the Council at the regular monthly meetings, special  
9 meetings, and other meetings or hearings shall be taken  
10 up, in the Mayor's discretion, either in the order or  
11 manner established by resolution of the Council or by  
12 the agenda as prepared by the Town Clerk.

13 So I'm sure the Town Clerk is instructed to  
14 prepare the agenda, and I don't whose the instructions  
15 they are. But I would think until such time that you  
16 rescind this motion from 2002, that the open floor  
17 should remain at the front end of the meeting. Thank  
18 you.

19 MAYOR POST: Thank you. You have a great  
20 day. Okay. Since there's no more comment on --

21 COUNCILMAN FREY: I make a motion to  
22 adjourn.

23 MAYOR POST: We got a motion to adjourn --

24 COUNCILWOMAN MELSON: Second.

1 MAYOR POST: Second. All in favor, say aye.

2 COUNCILMAN FREY: Aye.

3 COUNCILWOMAN MELSON: Aye.

4 COUNCILWOMAN BETTS: Aye.

5 COUNCILMAN PRETTYMAN: Aye.

6 COUNCILWOMAN HUDSON: Aye.

7 MAYOR POST: Aye. Motion carried, meeting

8 adjourns at 9:27.

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1 State of Delaware. )  
2 Kent County )

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5 CERTIFICATE OF REPORTER

6 I, Cheryl A. Anthony, Delaware Certified Shorthand  
7 Reporter and Notary Public, do hereby certify that the  
8 foregoing record, pages 1 to 94 inclusive, is a true and  
9 accurate transcript of my stenographic notes, taken to  
10 the best of my ability via audio recording, from the  
11 hearing taped on May 7, 2007, in the above-captioned  
12 matter.

13

14 IN WITNESS WHEREOF, I have hereunto set my hand  
15 and seal this \_\_\_\_ day of \_\_\_\_\_ 2007.

16

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20 \_\_\_\_\_  
Cheryl A. Anthony  
21 Delaware CSR  
Certification No. 107-PS  
22 (Permanent Certification)  
23  
24